

# PREA Facility Audit Report: Final

Name of Facility: Kanabec County Jail

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 04/01/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Debora Zauhar	Date of Signature: 04/01/2022

AUDITOR INFORMATION	
Auditor name:	Zauhar, Debora
Email:	debora.zauhar@gmail.com
Start Date of On-Site Audit:	02/22/2022
End Date of On-Site Audit:	02/23/2022

FACILITY INFORMATION	
Facility name:	Kanabec County Jail
Facility physical address:	100 South Vine Street, Mora, Minnesota - 55051
Facility Phone	
Facility mailing address:	

Primary Contact	
Name:	Cortney Dingman
Email Address:	cortney.altergott@co.kanabec.mn.us
Telephone Number:	3206798402

Warden/Jail Administrator/Sheriff/Director	
Name:	Chris Bergwick
Email Address:	chris.bergwick@co.kanabec.mn.us
Telephone Number:	3206798416

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

Facility Health Service Administrator On-site	
Name:	Autumn Hirsch
Email Address:	autumn.hirsch@co.kanabec.mn.us
Telephone Number:	3206796447

Facility Characteristics	
Designed facility capacity:	88
Current population of facility:	13
Average daily population for the past 12 months:	17
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	18 and older (oldest inmate in last 12 months 81)
Facility security levels/inmate custody levels:	minimum, general population, maximum, administrative segregation, quarantine
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	19
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	0
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	Kanabec County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	100 South Vine Street, Mora, Minnesota - 55051
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
<b>Name:</b>	Cortney Altergott	<b>Email Address:</b>	cortney.altergott@co.kanabec.mn.us

SUMMARY OF AUDIT FINDINGS
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The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

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

Number of standards exceeded:	
4	<ul style="list-style-type: none"> <li>• 115.14 - Youthful inmates</li> <li>• 115.31 - Employee training</li> <li>• 115.33 - Inmate education</li> <li>• 115.81 - Medical and mental health screenings; history of sexual abuse</li> </ul>
Number of standards met:	
41	
Number of standards not met:	
0	

# POST-AUDIT REPORTING INFORMATION

## GENERAL AUDIT INFORMATION

### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2022-02-22
2. End date of the onsite portion of the audit:	2022-02-23

### Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	The auditor made contact with representatives and manager of Family Pathways. The auditor also called three outside organizations for confidential reporting verification.

## AUDITED FACILITY INFORMATION

14. Designated facility capacity:	88
15. Average daily population for the past 12 months:	17
16. Number of inmate/resident/detainee housing units:	8
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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	14
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	0
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0

41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	0
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	0
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	0
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	0
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	0
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0
48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	All new inmates are placed in quarantine for two weeks due to the Covid Pandemic.
<b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b>	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	11
50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	0
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	3
52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	Present in the facility at the time of the on-site audit is different than who was actually employed during the on-site audit.
<b>INTERVIEWS</b>	
<b>Inmate/Resident/Detainee Interviews</b>	
<b>Random Inmate/Resident/Detainee Interviews</b>	

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	13
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input checked="" type="checkbox"/> Age <input checked="" 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
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	Note. The population of persons in custody was very low, so we interviewed all inmates with the exception of the one that declined.
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	All inmates in custody were interviewed with the exception of one who declined. There were no barriers to completing interviews and no barriers to ensuring representation.
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	0
<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>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<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>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p><b>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. 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>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p><b>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. 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>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p><b>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. 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>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p><b>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. 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>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p><b>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. 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>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p><b>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. 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>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p><b>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</b></p>	<p>0</p>
<p><b>a. 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>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p><b>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</b></p>	<p>0</p>
<p><b>a. 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>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p><b>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</b></p>	<p>0</p>

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>All inmates were interviewed. All corroboration strategies were considered in determining whether certain demographics of the inmate population existed at the KCJ. Information was gathered from the Pre-audit questionnaire, initial documentation as well as additional documentation reviewed onsite, and discussions with staff and other inmates.</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>All corroboration strategies were considered when determining if a specific statistical population exists in the KCJ, based on information obtained from the Pre-audit Questionnaire, documentation reviewed onsite; and discussions with staff and other inmates. All persons in custody were interviewed with the exception of one who declined. There were no targeted populations noted during the on-site audit and interviews. There were no barriers to completing the interviews of persons in custody, and interviews were conducted in a private location.</p>
<p><b>Staff, Volunteer, and Contractor Interviews</b></p>	
<p><b>Random Staff Interviews</b></p>	
<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>12</p>
<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input checked="" type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>If "Other," describe:</p>	<p>All available staff were interviewed.</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

<p>a. Select the reason(s) why you were unable to conduct the minimum number of RANDOM STAFF interviews: (select all that apply)</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 checked="" 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 type="checkbox"/> Other</p>
<p>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>There were a total of 14 inmates in custody during the on-site audit proceedings. Staffing plans and requirements were met. All available corrections officers were interviewed at this time. The auditor followed up with an additional 4 staff at a later date to complete the required minimum of 12 staff being interviewed according to the auditor handbook requirements (PRC and PMO)</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>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>17</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>78. Were you able to interview the PREA Coordinator?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>79. Were you able to interview the PREA Compliance Manager?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" 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)</p>

<p><b>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Agency contract administrator</li> <li><input checked="" type="checkbox"/> Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment</li> <li><input type="checkbox"/> Line staff who supervise youthful inmates (if applicable)</li> <li><input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable)</li> <li><input checked="" type="checkbox"/> Medical staff</li> <li><input checked="" type="checkbox"/> Mental health staff</li> <li><input checked="" type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches</li> <li><input checked="" type="checkbox"/> Administrative (human resources) staff</li> <li><input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff</li> <li><input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations</li> <li><input checked="" type="checkbox"/> Investigative staff responsible for conducting criminal investigations</li> <li><input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness</li> <li><input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation</li> <li><input checked="" type="checkbox"/> Staff on the sexual abuse incident review team</li> <li><input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation</li> <li><input checked="" type="checkbox"/> First responders, both security and non-security staff</li> <li><input checked="" type="checkbox"/> Intake staff</li> <li><input type="checkbox"/> Other</li> </ul>
<p><b>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b></p>	<ul style="list-style-type: none"> <li><input checked="" type="radio"/> Yes</li> <li><input type="radio"/> No</li> </ul>
<p><b>a. Enter the total number of VOLUNTEERS who were interviewed:</b></p>	<p>2</p>

<p><b>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<p><input checked="" type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Mental health/counseling</p> <p><input checked="" type="checkbox"/> Religious</p> <p><input type="checkbox"/> Other</p>
<p><b>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>a. Enter the total number of CONTRACTORS who were interviewed:</b></p>	<p>3</p>
<p><b>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<p><input type="checkbox"/> Security/detention</p> <p><input type="checkbox"/> Education/programming</p> <p><input checked="" type="checkbox"/> Medical/dental</p> <p><input checked="" type="checkbox"/> Food service</p> <p><input type="checkbox"/> Maintenance/construction</p> <p><input type="checkbox"/> Other</p>
<p><b>83. Provide any additional comments regarding selecting or interviewing specialized staff.</b></p>	<p>The auditor had the full cooperation of the KCJ for the selection process and interviewing of specialized staff in a private setting.</p>

## 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: discussions related to testing critical functions are expected to be included in the relevant Standard-specific overall determination narratives.

<p><b>84. Did you have access to all areas of the facility?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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### Was the site review an active, inquiring process that included the following:

<p><b>85. Reviewing/examining all areas of the facility in accordance with the site review component of the audit instrument?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>86. Testing and/or observing all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., intake process, risk screening process, PREA education)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
88. Informal conversations with staff during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).	<p>The auditor was allowed unlimited access to all areas of the KCJ - their documents, resources, and personnel. The auditor was able to observe and paid attention to how well supervised inmates are, and how cameras and other monitoring technologies are used. There were no blind spots or other indicators that an area of the facility is not being monitored in a way that keeps inmates safe from sexual abuse. The auditor had the full cooperation of interviewees in a private setting. Inmates and staff answered the auditor's questions about the safety and supervision provided throughout the jail. During the on-site portion of the audit with community outreach, the auditor was able to test critical functions of the PREA standards.</p>

**Documentation Sampling**

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

90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?	<input checked="" type="radio"/> Yes <input type="radio"/> No
91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).	<p>The auditor followed the guidelines from the National PREA Resource Center and the Bureau of Justice Assistance, U.S. Department of Justice PREA Compliance Instrument and Auditor Handbook with the checklist of policies, procedures, and other documents recommended for review during the pre-audit, during the audit, and post-audit follow-ups. The PREA Coordinator and team responded efficiently to requests for information and were transparent with allegations of sexual abuse and harassment investigations.</p>

**SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY**

**Sexual Abuse and Sexual Harassment Allegations and Investigations Overview**

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

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

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

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

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

## Sexual Abuse and Sexual Harassment Investigation Outcomes

### Sexual Abuse Investigation Outcomes

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

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

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

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

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

**Sexual Harassment Investigation Outcomes**

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

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

	Ongoing	Referred for Prosecution	Indicted/Court Case Filed	Convicted/Adjudicated	Acquitted
<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

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

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

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

**Sexual Abuse Investigation Files Selected for Review**

<b>98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:</b>	4
<b>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)

**Inmate-on-inmate sexual abuse investigation files**

<b>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b>	2
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<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p><b>Staff-on-inmate sexual abuse investigation files</b></p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>2</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p><b>Sexual Harassment Investigation Files Selected for Review</b></p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>1</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</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 sexual harassment investigation files)</p>
<p><b>Inmate-on-inmate sexual harassment investigation files</b></p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>

<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>

**Staff-on-inmate sexual harassment investigation files**

<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>There was an older sexual harassment allegation and investigation file with a volunteer - on inmates incident that was reviewed by the auditor. The auditor found appropriate outcomes and the incident was handled according to PREA investigative standards.</p>

**SUPPORT STAFF INFORMATION**

**DOJ-certified PREA Auditors Support Staff**

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

<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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a. Enter the TOTAL NUMBER OF NON-CERTIFIED SUPPORT who provided assistance at any point during this audit:	2
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## AUDITING ARRANGEMENTS AND COMPENSATION

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

### Auditor Overall Determination Definitions

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

### Auditor Discussion Instructions

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

115.11	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1493 465">(a) As demonstrated by KCSO policies 612.2, Prison Rape Elimination Act - Policy, and 613, PREA Prevention Planning and Training, the KCSO has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlining the agency's approach to preventing, detecting, and responding to such conduct. The policies include definitions of prohibited behaviors regarding sexual abuse and sexual harassment (612.1.1, PREA Definitions), sanctions for those found to have participated in prohibited behaviors (613.8, Discipline), and a description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of inmates (613).</p> <p data-bbox="240 499 1474 591">The zero tolerance policy is also described within the Inmate Handbook and on the KCSO/KCJ website. The zero-tolerance philosophy is promoted throughout the facility with PREA signage and PREA brochures as well. See <a href="https://www.kanabeccounty.org/departments/jail.php">https://www.kanabeccounty.org/departments/jail.php</a>. &gt;</p> <p data-bbox="240 624 1485 846">(b) The PREA Organizational Chart, and supporting policy, shows that the agency designates 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 in its facility. The PREA Coordinator is a jail sergeant who reports to the Jail Administrator. The role of the PREA Coordinator is described in policy 612.3, PREA Coordinator. The PREA Coordinator verified that overall, she has sufficient time and authority to accomplish her PREA responsibilities and provide oversight. The process for undertaking issues was described when identified for complying with a PREA standard. The PREA team take actions to work toward compliance with the standard.</p> <p data-bbox="240 880 1481 1072">The PREA Coordinator is an experienced and organized correctional professional dedicated to the facility's zero tolerance policy. The PREA Coordinator is one of the jail sergeants assigned an administrative role. She accomplished the Pre-Audit Facility Questionnaire. She assisted the auditor throughout the facility tour and provided the auditor with additional documents for review. Staff and inmate interviews were coordinated by the PREA Coordinator. She was readily available, responsive, and informative throughout the pre-audit, on-site audit, and post-audit process, showing a commitment to enforcing the zero tolerance policy.</p> <p data-bbox="240 1106 1493 1263">As part of the on-site audit, the auditor toured the KCJ and observed posters and notices visible throughout the jail which emphasize that the KCJ is a zero-tolerance facility. The auditor had access to the inmate housing units which also contained visible advertising of the PREA zero-tolerance policy in addition to the supply of laminated inmate handbooks containing the required PREA information including the zero-tolerance language. Informal discussions with inmates and Corrections Officers verified the familiarity and understanding of the zero-tolerance language relevant to PREA.</p> <p data-bbox="240 1296 1458 1357">Employee, contractor, volunteer, and inmate education and training records confirm that the PREA zero-tolerance policies and procedures are taught and refreshed within the facility in support of this standard.</p> <p data-bbox="240 1391 1489 1612">This being their third PREA audit, the meaningful practice and implementations of PREA requirements are a routine and integral part of the day-to-day facility operations and interactions with inmates, volunteers, and contractors. The facility exhibits a proactive and positive PREA culture. Based on the pre-audit review of policy/procedure and related documents, and information and observation gathered during the on-site audit, it was evident to the auditor that the KCSO/KCJ maintains a PREA culture which mandates zero tolerance of sexual abuse and sexual harassment. From policy to meaningful procedures and practices, the KCJ exhibits the institutionalization of the PREA goals to prevent, detect, and respond to sexual abuse and sexual harassment.</p> <p data-bbox="240 1646 1121 1675">(c) As this agency operates only one facility, no PREA compliance manager is required.</p>

115.12	<b>Contracting with other entities for the confinement of inmates</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 895 300">(a) The KCJ does not contract for the confinement of its inmates.</p> <p data-bbox="242 331 1485 622">This agency did, however, renew a contract for the confinement of MN DOC inmates at the KCJ since the last PREA audit and effective 07/01/2020. Recently though, the MN DOC has not been utilizing county jails for the housing of its inmates due to the reduction of the prison population within the state. The auditor reviewed the contract and noted that it expired on 06/20/2021 and has not been renewed. This most recent contract continues to require PREA compliance. It states: "Contractor must comply with the PREA of 2003, with all applicable Federal PREA standards, and with all State policies and standards related to PREA for preventing, detecting, monitoring, investigating, and eradicating any form of sexual abuse within facilities/ programs/offices owned, operated, or contracted. Contractor acknowledges that, in addition to self-monitoring requirements, the State will conduct compliance monitoring and PREA standards require an outside independent audit." See <a href="https://mn.gov/doc/">https://mn.gov/doc/</a>.</p> <p data-bbox="242 654 1458 815">The county of Kanabec has a written agreement with Anoka County for juvenile contract beds. This is through the county, not the Sheriff's Office. It states that Anoka County and the placing county shall abide by all federal, state, or local laws, statutes, ordinances, rules, and regulations. Although I did not find a specific PREA statement within the body of the contract, I conducted a search of the East Central Regional Secure Juvenile Detention and Treatment Facility and verified that they are a PREA compliant facility. See <a href="https://www.anokacounty.us/2283/PREA">https://www.anokacounty.us/2283/PREA</a>.</p> <p data-bbox="242 846 1430 972">The auditor reviewed both contracts relative to the PREA standard requirements and spoke with the agency contract administrator. The administrator confirmed that new and renewed contracts for confinement services are monitored to ensure PREA practices compliance. All in-house contracts for food service and correctional health are ensured the appropriate PREA training and education. Contractors are monitored for adherence to PREA policies and procedures.</p> <p data-bbox="242 1003 1477 1128">(b) KCSO policy 613.2 addresses Contractor and Volunteer Training, and within the body of the policy specifies the contracting with other agencies for inmate confinement standards: (a) The KCJ shall include in any new contract or contract renewal the obligation to adopt and comply with PREA standards; (b) Any new contract or contract renewal shall provide for agency contract monitoring; i.e., DOC, to ensure that KCJ is complying with PREA standards.</p> <p data-bbox="242 1160 1485 1285">The Agency Contract Administrator verified that all new and renewed contracts for confinement services would be monitored for contractor compliance with required PREA practices. The written agreements would have the appropriate PREA language in the body of the contract and contractors who have contact with inmates would be required to receive PREA training and continuing education.</p>

115.13	<b>Supervision and monitoring</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1493 600">(a) The Jail ensures that it develops, documents, and makes its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, the Jail takes into consideration: (1) Generally accepted detention and correctional practices; (2) Any judicial findings of inadequacy; (3) Any findings of inadequacy from Federal investigative agencies; (4) Any findings of inadequacy from internal or external oversight bodies; (5) All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated); (6) The composition of the inmate population; (7) The number and placement of supervisory staff; (8) Institution programs occurring on a particular shift; (9) Any applicable State or local laws, regulations, or standards; (10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and (11) Any other relevant factors. These criteria are listed and described in policies 202.7, Staffing Plan, and 612.3(c), PREA Coordinator.</p> <p data-bbox="240 629 1477 824">The auditor studied the staffing plan, organizational chart, and jail schematic all relative to this standard. The 202.7 Staffing Plan describes that the Jail Administrator, in conjunction with the PREA Coordinator, should ensure that staffing levels are sufficient to consistently and adequately fill essential positions, as determined by the staffing plan. Relief factors for each classification and position should be calculated into the staffing analysis to ensure staffing levels will consistently meet requirements. Staff should be deployed in an efficient and cost-effective manner that provides for the safety and security of the staff, inmates and the public.</p> <p data-bbox="240 853 1485 981">The KCJ follows the Minnesota 2911 rules which provide minimum standards for public and private correctional facilities throughout the state established and operated for the detention and confinement of persons detained or confined according to law except to the extent that they are inspected or licensed by other state regulating agencies. Rule 2911.0900 addresses the Staffing Requirements.</p> <p data-bbox="240 1010 1477 1173">The KCJ Staffing Plan addresses the supervision of inmates: "There shall be, at all times, sufficient staff designated to remain in the facility for the supervision and welfare of inmates, to ensure the implementation and operation of all programs and activities as required by Minnesota Rule 2911, and to respond to emergencies when needed. Such staff must not leave the facility while inmates are present and should not be assigned duties that could conflict with inmate supervision (Minn. R. § 2911.0900 S 9).</p> <p data-bbox="240 1202 1485 1263">When both male and female inmates are held at this facility, a minimum of one male and one female jailer should be on-duty in the jail at all times.</p> <p data-bbox="240 1292 1493 1453">Staff members shall not be placed in positions of responsibility for the supervision and welfare of inmates of the opposite sex in circumstances that can be described as an invasion of privacy or that may be degrading or humiliating to the inmates. Staff used as program resource personnel with inmates should be of the same sex as the inmates when reasonably available. However, at least one staff member of the same sex as the inmates should be on-duty and available to the inmates during all such activities.</p> <p data-bbox="240 1482 1477 1543">To the extent reasonably practicable, inmate bathrooms will contain modesty screens that preserve privacy without creating areas that cannot be properly supervised.</p> <p data-bbox="240 1572 1490 1671">The Jail Administrator or the authorized designee shall be responsible for developing staffing plans to comply with this policy. Records of staff deployment should be maintained in accordance with established records retention schedules (Minn. R. § 2911.0900 S10)." See <a href="https://www.revisor.mn.gov/rules/2911.0100/">https://www.revisor.mn.gov/rules/2911.0100/</a>.</p> <p data-bbox="240 1700 1493 1962">Since the last PREA audit, the average daily number of inmates for this Jail was 25. The average daily number of inmates on which the staffing plan was predicated is 60. The 2911.0900 rules also require that staffing ratios are met. The KCJ follows the 1-25 ratio and never less than 2 persons on duty. The auditor was also supplied with a staff schedule for review and verified that security staffing met the minimum staff ratio requirements of the MN DOC 2911 Rules. The state standards also call for the retention of a jail staffing plan. (Reference 2911.0900 STAFFING REQUIREMENTS, Subpart 1, Staffing Plan and Staffing Analysis. The facility administrator shall prepare and retain a staffing plan.) See <a href="https://www.revisor.mn.gov/rules/pdf/2911.0900/2014-01-18%2005:20:00+00:00">also https://www.revisor.mn.gov/rules/pdf/2911.0900/2014-01-18%2005:20:00+00:00</a>.</p> <p data-bbox="240 1991 1493 2157">The Jail Administrator verified the existence of their staffing plan which provides for adequate staffing levels for the supervision and monitoring of inmates. Adequate staffing levels are maintained to protect inmates against sexual abuse as considered in this plan. The staffing plan is documented in their policies and procedures, the rotating staff schedule, and the post orders. The Jail Administrator also described that when assessing adequate staffing levels and the need for video monitoring, all PREA criteria as described above are considered in the staffing plan. Safety, security, and efficient operations</p>

are stressed in their literature. Jail supervisors and the administrator check for compliance with the staffing plan for every new shift. All documents, jail logs, and reports are reviewed. The staffing plan is analyzed and reviewed formally at least on an annual basis.

During the on-site audit portion of the PREA audit, the auditor witnessed sufficient and appropriate staffing for the supervision and monitoring of inmates. Male and female staff were working within the secure perimeter of the jail. Well-being checks were practiced in a timely fashion. Video monitoring throughout the facility is utilized as a supplement to staff supervision. The auditor reviewed the staff schedule, organizational chart, and post orders in support of this standard.

During the on-site portion of the audit, the auditor reviewed additional staffing plan documents, jail staff schedules, dispatch schedules, and annual reviews for standard compliance. The auditor also reviewed the camera and monitoring technology list and observed how cameras and other monitoring technologies are used throughout all areas of the facility. The jail staff were observed making their rounds and interacting with all inmates in accordance to their job posts. There were no obvious blind spots or any other indicators that an area of the facility is not being monitored in a way that keeps inmates safe from sexual abuse. Privacy screens were in place for showering and changing. Toilet areas were edited on camera. Curtains have been installed for privacy between holding cells in the booking area. Additional monitoring and emergency systems include the use of portable radios with man-down features, panic buttons, intercoms, and audio capabilities. There are tinted security windows in the holding cells and housing units. Dispatchers and jail staff have internal and external video monitoring capabilities for safety and security reasons. The Dispatchers control the doors. Informal discussion with inmates confirms the ability to change clothes, use the toilet, and shower without staff of the opposite gender watching, notwithstanding incidental to well-being checks. Program areas are also supervised by the Jail Program Coordinator and jail staff, and monitored on camera with audio. The new Accurate Control security system is described within the body of the Upgrades to Facilities and Technologies standard.

(b) There have been no circumstances where the staffing plan was not complied with. I was informed by the PREA Coordinator and the Jail Administrator that the minimum staffing levels are always met. *If* there was an instance of non-compliance, they would document the reasons why it occurred. The KCJ is required by policy to comply with the staffing plan except during limited and discreet exigent circumstances, and fully document deviations from the plan. (Reference policies 613.1 KCJ and 202.7 Staffing Plan.)

(c) Whenever necessary, but no less frequently than once each year, the Jail, in consultation with the PREA coordinator, assesses, determines, and documents whether adjustments are needed to: (1) The staffing plan; (2) The facility's deployment of video monitoring systems and other monitoring technologies; and (3) The resources the facility has available to commit to ensure adherence to the staffing plan. This at least annual review is described in policies 202.7, Staffing Plan, and 612.3(c), PREA Coordinator. Documentation demonstrating compliance with the at least annual review process was provided in the form of a spreadsheet showing Annual PREA Data Review for 2019, 2020, and 2021.

The PREA Coordinator confirmed that she is consulted regarding the assessment or adjustments to the staffing plan. She pays attention to the male-female issues. Adequate staffing levels are ensured for the safety and security of the facility in addition to protecting inmates against sexual abuse. Informal staffing assessments are conducted frequently, and the formal staffing plan is reviewed at least annually.

(d) The Jail has 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. See 612.3(m), PREA Coordinator. Such policy and practice is implemented for night shifts as well as day shifts, and documentation was provided in the form of an example list of unannounced rounds that included the date and time. The Jail has a policy to prohibit 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. See 612.3(m). The auditor discussed the unannounced rounds of intermediate to higher-level supervisors within the context of a small jail. Since the front line supervisors (jail sergeants) work on shift with the Corrections Officers, the unannounced rounds require that intermediate and higher-level supervisors and administrators accomplish the checks in order to have at least two officials involved in an effort to identify and deter staff sexual abuse and sexual harassment. The auditor was satisfied with the frequency and variety of the PREA-focused unannounced rounds. During the on-site portion of the audit, the auditor conducted a spot-check of video recordings of dates and times that matched the documented housing unit rounds by a supervisor.

The KCJ substantially complies with the provisions of the supervision and monitoring PREA standard as evidenced by policy, procedure, practice, and documentation as described above.



115.14	<p data-bbox="231 71 1508 129"><b>Youthful inmates</b></p> <p data-bbox="231 129 1508 197"><b>Auditor Overall Determination:</b> Exceeds Standard</p> <p data-bbox="231 197 1508 264"><b>Auditor Discussion</b></p> <p data-bbox="231 264 1508 622">The KCJ does not house youthful inmates, and therefore does not have housing units for youthful inmates. Nevertheless, policy 512, Juvenile Detentions, provides that a youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters. Likewise, policy 512.7 provides that in areas outside of housing units, the Jail maintains sight and sound separation between youthful inmates and adult inmates, or provides direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact. In the event a juvenile is arrested in this county, that juvenile is transported to the Lino Lakes juvenile facility. The auditor was provided with and reviewed the joint powers Agreement between Kanabec County and Anoka County (East Central Regional Secure Juvenile Detention and Treatment Facility in Lino Lakes) for Contract Beds for the secure detention and/or treatment of juvenile offenders for verification purposes.</p> <p data-bbox="231 622 1508 846">The County of Kanabec has a written agreement with Anoka County for juvenile contract beds. This is through the county, not the Sheriff's Office. Article IX of the agreement addresses Compliance with Laws/Standards. It states that Anoka County and the placing county shall abide by all federal, state or local laws, statutes, ordinances, rules and regulations. Although I did not find a specific PREA statement within the body of the contract, I conducted a search of the East Central Regional Secure Juvenile Detention and Treatment Facility and verified that they are a PREA compliant facility. See <a href="https://www.anokacounty.us/2283/PREA">https://www.anokacounty.us/2283/PREA</a>.</p> <p data-bbox="231 846 1508 1182">The MN Department of Corrections (DOC) Inspection and Enforcement Unit recently conducted their biennial facility inspection and Juvenile Justice and Delinquency Prevention Act (JJDP) audit of the KCJ on January 26, 2022. The auditor read the compliance report relative to this standard. The KCJ held or processed 3 juveniles since October 1, 2021. 100% of the juvenile data was reviewed. There were no violations of the facility holding status offenders in the jail. There were also no violations for the jail removal standard. The report noted that the facility design and policies allow for proper sight and sound separation. Juveniles would be held in a cell and sub-dayroom off of booking and away from the general population. The three core requirements that are audited are the Deinstitutionalization of Status Offenders (DSO), Removal of Juveniles from Adult Jails, and Sight and Sound Separation. The KCJ has a 24-hour hold approval (exclusive of weekends and holidays).</p> <p data-bbox="231 1182 1508 1294">The auditor was informed and shown that for juveniles requiring processing, there is a private administrative room outside of the secure perimeter of the jail for fingerprinting and documentation. The auditor had previously toured the court route that juveniles would be escorted through into the courtroom. Sight and sound requirements are met.</p> <p data-bbox="231 1294 1508 1429">The PREA Coordinator and Jail Administrator explained that juveniles are not processed in the jail intake area anymore. The auditor reviewed jail logs, files, and inmate population reports relevant to this standard and did not locate any evidence of juvenile detentions at the KCJ.</p> <p data-bbox="231 1429 1508 1503">The KCSO and jail substantially exceeds the requirement of this standard with the removal of juveniles from the adult population at the facility.</p>
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115.15	<b>Limits to cross-gender viewing and searches</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 398">(a) The Kanabec County Jail (KCJ) does not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. This is supported by policies 613.1, PREA Prevention Planning and Training, Prevention Planning, Limitation to Cross-Gender Viewing and Searches, and 529.3, Searches and Pat-Down Searches.</p> <p data-bbox="240 432 1414 459">In the past 12 months, the jail conducted 0 cross-gender strip or cross-gender visual body cavity searches of inmates.</p> <p data-bbox="240 488 1134 515">There are many types of searches available to a corrections officer of the KCJ. They are:</p> <p data-bbox="240 544 1485 638">Modified strip search - A search that requires a person to remove or rearrange some of his/her clothing that does not include a visual inspection of the breasts, buttocks or genitalia of the person but may include a thorough tactile search of an inmate's partially unclothed body. This also includes searching the inmate's clothing, once it has been removed.</p> <p data-bbox="240 667 1436 761">Pat-down search - The normal type of search used by jailers within this facility to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the jailer, the inmate, or other inmates.</p> <p data-bbox="240 790 1436 853">Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of a person, and the vagina of a female person.</p> <p data-bbox="240 882 1485 1010">Strip search - A search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia or female breasts are visible to the monitoring employee.</p> <p data-bbox="240 1039 1474 1167">The introduction of contraband, intoxicants or weapons into the Kanabec County Sheriff's Office facility poses a serious risk to the safety and security of staff, inmates, volunteers, contractors, and the public. Carefully restricting the flow of contraband into the facility can only be achieved by thorough searches of inmates and their environment. This is why it is necessary to conduct searches.</p> <p data-bbox="240 1196 1485 1458">The auditor questioned non-medical staff who would be involved in cross-gender strip or visual searches. They said there are no circumstances that would require cross-gender strip searches and visual body cavity searches. They never do this. When there are urgent circumstances and/or reasonable suspicion that an inmate may be hiding contraband (anything unauthorized for inmates to possess or anything authorized to possess but in an unauthorized quantity), they must get a search warrant with approval of the Jail Administrator. Only a physician may conduct a physical body cavity search, and so they would transport the inmate to the hospital should such a search be approved. The jail policy specifically dictates that no person shall be subjected to a physical body cavity search without approval of the Jail Administrator or authorized designee and only upon a search warrant or approval of legal counsel.</p> <p data-bbox="240 1487 1485 1615">Jail policy also sets limitations to cross-gender viewing and searches. Staff shall not conduct cross-gender pat-down searches, strip searches, or cross gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners. Transgender inmates may request that either a male or female staff member conduct a search (pat and/or strip) consistent with the transgender resident or inmate's identified gender, if such search is required.</p> <p data-bbox="240 1644 1485 1809">The auditor reviewed jail logs and cross-gender search documentation forms for cross-gender strip searches and cross-gender visual body cavity searches in the past 12 months. According to these logs, there was no evidence of cross-gender strip and/or cross-gender body cavity searches in the past 12 months that were not conducted by medical staff. The auditor also searched for documentation of instances where medical staff conducted such searches. There were no instances of jail medical staff performing body cavity searches. This was verified by the jail nurse.</p> <p data-bbox="240 1839 1453 1966">(b) The Jail does not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. This is supported by policies 613.1, PREA Prevention Planning and Training, Prevention Planning, Limitation to Cross-Gender Viewing and Searches, and 529.3, Searches, Pat-Down Searches. Furthermore, the Jail does not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.</p> <p data-bbox="240 1995 1310 2022">The Jail has had 0 occurrences of pat-down searches of female inmates that were conducted by male staff.</p> <p data-bbox="240 2051 1485 2145">There was only one female inmate available to interview during the on-site audit. She was asked about jail programs and services. She was unaware of any program restrictions due to lack of female staff for pat-downs. Corrections officers were asked: "If female staff are not available to conduct pat-down searches of female inmates, does the jail restrict those inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision?"</p>

access to programs or out-of-cell opportunities?" All jail staff responded that there are no program restrictions because there are always female security staff working for search requirements. In the rare event, that there would be no female corrections officer available, they would request a female dispatcher come into the secure perimeter of the jail since they are all cross-trained. There is also a female deputy/investigator available to assist if necessary. The Program Coordinator also verified that female inmates are not restricted from in cell or out-of-cell programs due to a lack of female staff for same sex pat-down searches. A review of program schedules and participation records also supported this provision. It should be noted that programs are very limited due to the Covid Pandemic currently, but inmates are still allowed access to the jail library and gym.

The auditor reviewed jail and program logs, and the search documentation forms of cross-gender pat-down searches of female inmates to identify documentation of exigent circumstances or program restrictions. There was no evidence of cross-gender searches at the KCJ. This was also verified by the PREA Coordinator.

The auditor observed female corrections officers patting-down female inmates routinely during the two days of facility tour and observation. The auditor also spent time in the dispatch center and the jail control area for video monitoring. A spot check was also conducted and there was no written or video documentation of pat-down searches of female inmates conducted by male staff.

The PREA Coordinator ensures that all jail staff are well versed in the policy and procedures on cross-gender and transgender searches. The auditor received and reviewed recent jail orientation and training records on PREA Cross-Gender and Transgender Pat Search. The Training Officer provides training for staff in how to conduct pat-downs, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs.

(c) The Jail documents all cross-gender strip searches and cross-gender visual body cavity searches, and also documents all cross-gender pat-down searches of female inmates. This is supported by policies 613.1, PREA Prevention Planning and Training, Prevention Planning, Limitation to Cross-Gender Viewing and Searches, and 529.3, Searches, Pat-Down Searches.

Again, the auditor looked for documentation of cross-gender strip searches and cross-gender visual body cavity searches of all inmates, and documentation of all cross-gender pat-down searches of female inmates. There are none. This is not allowed at the KCJ. The documentation piece is required per policy and forms have been developed for cross-gender search documentation mandates.

(d) The Jail has implemented policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without non-medical 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. See policies 613.1, PREA Prevention Planning and Training, Prevention Planning, Limitation to Cross-Gender Viewing and Searches, and 814.9, Inmate Hygiene, Inmate Showers. The same jail policies and procedure also require staff of the opposite gender to announce their presence when entering an inmate housing unit.

The auditor made observations and asked questions during the facility tour. Shower stalls are not monitored by camera. Toilets are edited out on camera. There are security shower curtains for privacy. Each cell within the housing unit has their own shower stall. There are no group showers at the KCJ. There are also privacy curtains at the doors and windows of the holding cells. In the housing units, cameras monitor the main dayroom of each cell block with audio. Special watch cells are equipped with video monitoring. Upon jail tour and observation of the medical office and exam rooms, the RN showed the auditor how the inmates are examined privately from the correctional staff in the exam room while maintaining a safety/security stance nearby. Cameras are positioned in such a way as to provide for inmate privacy upon medical examination. The jail has provided inmates with rules to follow in order to maintain privacy. The following rules are in place to prevent sexual harassment and misconduct. If violated they are considered major offenses:

Do not enter another inmate's cell;

When sitting on the toilet, a hand towel must be placed over your lap ("cover up rule");

Inappropriate, derogatory, sexual, or suggestive remarks or actions towards a Corrections Staff or other inmates will not be allowed;

Inmates are required to be fully clothed (from neck to feet) at all times, except when changing clothes, showering, or using the restroom. Inmates should change inside shower area. No portion of the undergarments will be visible. Clothes must be worn while sleeping.

A copy of these rules can be found in the KCJ Inmate Handbook and are continually monitored for compliance by the jail staff.

The auditor witnessed the use of a doorbell chime to indicate when staff of the opposite gender are entering a housing unit. This can either be accomplished continuously, or at the start of the shift depending on the status quo. There are announcements and notices that male and female staff routinely work in and visit inmate housing areas. The auditor asked the PREA Coordinator about the deaf or hard-of-hearing inmate for opposite gender notifications. This would be communicated at the time of booking with the inmate being informed of both male and female corrections office working in the housing units. The Orientation Video contains sub-titles and related information.

Most of the inmates interviewed said that staff of the opposite gender announce their entry with a doorbell signal. They also said that they are never naked in front of opposite gender staff when showering. They made mention that there are no cameras in the shower stalls or changing areas. Jail staff described the doorbell chime system to announce entry of a housing unit for opposite gender staff purposes. They said they used to verbally announce, but now have the audio system. They also added that there are notices posted that warn inmates that both male and female staff work in the facility for privacy purposes. All staff felt that an inmate's privacy was respected when showering, changing clothes, or using the toilet. They described the security shower curtains with mesh on top and bottom and a center block to cover private body areas. They described that inmates need to cover themselves with a towel for toilet use or change out. Inmates are written up if they are exposed and staff is to address this right away.

(e) The Jail does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. See policies 613.1, Limitation to Cross-Gender Viewing and Searches, and 529.3, Searches, Pat-Down Searches. The same policies provide that 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 part of a broader medical examination conducted in private by a medical practitioner.

All jail staff interviewed were aware of the policy prohibiting staff from searching or physically examining a transgender or intersex inmate for the purpose of determining that inmates' genital status. They said that they are restricted from doing this by policy and through their PREA training.

The auditor also reviewed jail staff PREA orientation and continuing education records for content. The Training Officer provides training for staff in how to conduct pat-downs, modified strip searches, and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs. This training includes cross-gender pat downs and searches, as well as searches of transgender and intersex inmates. The KCJ Sexual Violence Prevention PREA Checklist was again reviewed relative to this provision. The inmate is asked if they consider themselves to be LGBTQI.

(f) The Jail has trained 100% of security staff in how to conduct cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. This was verified through the provided documentation of 2021 Training Totals, which listed training topics and hours by staff name. A document describing Training PREA Standards was also provided. See also policies 613.1, Limitation to Cross-Gender Viewing and Searches, and 529.9, Searches, Training.

The KCJ jail staff verified they have received training on how to conduct cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, consistent with security needs. They said that they were trained when they were first hired and also through continuing education. The staff said that they recently received training on this topic within the past month.

The auditor reviewed the recent training that was provided to security staff. The objective was to review policy and procedures on cross gender and transgender pat searches. Included in the training was a video providing guidance on the searches. All cross-gender searches should be documented. There are three compliant options for who searches a transgender inmate: medical staff only, female staff, or inmate's preference. This is decided on a case by case basis to make the best decision for each inmate. They do not conduct dual staff searches, where a male searches one half and a female searches the other half.

The auditor has determined that the KCJ meets the limits to cross-gender viewing and searches standard in that they consistently provide for same-sex search requirements. There were no remarkable instances of cross-gender viewing or searches of any kind under any circumstances in the past three years, since their last PREA audit.

115.16	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1481 600">(a) The Jail has taken appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) 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. See policy 613.1, Inmates with Disabilities or who are Limited English Proficient (LEP), and 604, Inmates with Disabilities. Such steps include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. See policy 613.1 and PREA Information for Inmates brochure with interpreter information. In addition, the agency shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision. See policy 613.1.</p> <p data-bbox="240 629 1481 824">The Sheriff was asked about the establishment of procedures for inmates with disabilities and inmates who are Limited English Proficient (LEP) in respect to opportunities to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. He said that yes, they have ensured the appropriate resources are available in the jail to meet the needs and rights of inmates detained in accordance to the Americans With Disabilities Act (ADA) and Minnesota Human Rights Act (MHRA). He described the interpretive tablet available for inmates that do not speak English as an example. There were no disabled inmates in custody during the on-site audit.</p> <p data-bbox="240 853 1485 981">One of the jail sergeants brought the Stratus Tablet to the auditor to demonstrate its use on site. Stratus is used on the jail tablet to video call an interpreter or translator whenever needed. The service is available 24/7 and instantly. The KCJ Inmate Handbook is available in English and Spanish and the auditor noticed fliers and posters that had also been translated into Spanish in the jail.</p> <p data-bbox="240 1010 1493 1339">The booking process with medical screening identifies disability needs from the start. Inmates are asked to reveal any accommodation requests during the intake classification process. Any such request is addressed according to the classification process. The Jail Administrator is responsible for ensuring the jail is designed or adapted to reasonably accommodate inmates with disabilities. At a minimum this includes access to telephones equipped with a telecommunications device for the deaf (TDD) for inmates who are deaf or hard of hearing or speech-impaired. Orientation videos used to explain facility rules to newly admitted inmates have captions with subtitles that may be displayed on the video presentation to assist inmates who have impaired hearing. The auditor observed and made note that some cells and dormitories are equipped with wheelchair accessible toilet and shower facilities. It is the PREA Coordinator's responsibility to ensure written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, limited reading skills, or who are blind or have low vision.</p> <p data-bbox="240 1368 1485 1496">The KCJ Inmate Handbook contains information regarding assistive equipment for deaf and hard-of-hearing inmates. TTY's, iPods, Interpreters, and Tablets are some of the resources available for inmates with these disabilities. The handbook also provides inmates with a list of their rights, including freedom from discrimination based on race, religion, national origin, sex, age, sexual orientation, disability, or political belief.</p> <p data-bbox="240 1525 1490 1653">(b) The Jail has taken 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, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. See policy 613.1 and PREA Information for Inmates brochure.</p> <p data-bbox="240 1682 1485 1854">The auditor received, reviewed, and observed PREA materials available in alternative formats, such as translated into Spanish. The PREA Information for Inmates brochure contains Interpreter and Translator information. The PREA Coordinator ensures that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, limited reading skills, or who are blind or have low vision. PREA information can be read to the legally blind inmate.</p> <p data-bbox="240 1883 1469 1944">By policy, the KCJ has an ADA Coordinator who works with the Training Officer to provide jail staff with periodic training for communicating with disabled inmates. They are also advised on the forms and available resources for disabled inmates.</p> <p data-bbox="240 1973 1449 2101">(c) The Jail does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under § 115.64, or the investigation of the inmate's allegations. This is supported by policy 612.6, First Responders.</p> <p data-bbox="240 2130 1437 2157">The supporting policy states: "Should an investigation involve inmates who have disabilities or who have limited English</p>

proficiency, the first responder shall not rely on inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise inmate safety, the performance of first responder duties or the investigation of sexual abuse or sexual harassment allegations." This was verified by both the Jail Administrator and the PREA Coordinator.

Jail staff were also questioned on the use of Inmate Interpreters. The majority of the corrections officers understood the importance of utilizing professional interpreters when addressing a sexual abuse or harassment allegation. They were not aware of a time when another inmate was utilized to translate for a report of sexual abuse or sexual harassment. They were able to articulate the interpretive tools and resources available to them and to the investigators for accurate translation.

The KCJ complies in all material ways with the inmates with disabilities and inmates who are LEP standard and its provisions for this review period.

115.17	<b>Hiring and promotion decisions</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1490 501">(a) Jail policy prohibits hiring or promoting anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who: (1) 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); (2) 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; or (3) Has been civilly or administratively adjudicated to have engaged in any of the activity previously described. See policies 114.2.1, Specialized Assignments and Promotions, Disqualification, and 613, PREA Prevention Planning and Training, Hiring and Promotion Decision.</p> <p data-bbox="240 533 1490 824">The auditor spent time with the Administrative (Human Resources) staff. I was allowed to inspect the employment/personnel files of applicants and employees relative to this standard. The Administrative Assistant explained the hiring and background process to the auditor as well as answered all questions upon review. The application forms and background investigations were studied and the KCSO was found to be in compliance with this provision in all material ways. Criminal history checks are accomplished. Further reviews are conducted through reference interviews and a thorough background investigation. The Administrative Assistant as well as the PREA Coordinator, Jail Administrator and the Sheriff all confirmed that they do not hire or promote anyone with a sexual misconduct history. They said that background investigations are also conducted on contractors who may have contact with inmates. They coordinate their hiring process with the county coordinator's office/human resources.</p> <p data-bbox="240 855 1490 1048">The auditor discovered a document in the files listing the rejection criteria for employment with the KCSO. Rejection criteria included a criminal sexual conduct conviction, engaging in sexual abuse in another institution, convictions of engaging or attempting to engage in sexual activity in the community by force or threats, civil or administrative adjudications, documented instances of misconduct by previous employers, a documented pattern of unfitness or patterns of misconduct, and a documented history of conduct that exhibits patterns of behavior which would be unacceptable for an employee of the KCSO, such as sexual harassment.</p> <p data-bbox="240 1079 1490 1308">(b) Jail policy 613 further requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor who may have contact with inmates. The sexual harassment piece is also noted in policy 613.1, Hiring and Promotion Decisions, and the Specialized Assignments and Promotions Policy (114). Policy 114.2.1 lists actions which disqualify any member for promotional or special assignment consideration. The Hiring and Promotion Decision policy mandates the KCJ to consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor or volunteer who may have contact with inmates (613.1).</p> <p data-bbox="240 1339 1490 1402">The Administrative Assistant said that the KCSO considers prior 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.</p> <p data-bbox="240 1433 1490 1590">The auditor read the Code of Conduct material for jail trainees. New employees are presented with the 10 codes of conduct outlining the Sheriff's Office expectations for employees. Principle 9 states that the KCSO shall be free of sexual harassment. Sexual Harassment shall not be tolerated in any form. Trainee's must be able to define and demonstrate ethics and professionalism as well as an understanding of the importance of professionalism and work in the community. This is signed and dated by the trainee and the Field Training Officer (FTO).</p> <p data-bbox="240 1621 1490 1747">(c) Before hiring new employees who may have contact with inmates, the Jail, per policy 613: (1) Performs a criminal background records check; and (2) Consistent with Federal, State, and local law, makes 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. See also policy 308.3.1, Criminal Record Check.</p> <p data-bbox="240 1778 1490 2141">In the past 12 months, 3 people have been hired who may have contact with inmates and who had criminal background record checks completed. The auditor conducted a spot check of new employee files and all had passed criminal background record checks. The background investigation process was described by the Administrative Assistant to include criminal record background checks for new employees and those members up for promotion. The jail is also responsible to conduct a background check on contractors who may have contact with inmates as well (for example, medical, mental health, and kitchen staff). This is understood at the contract level as required by the Agency Contract Administration. The KCSO relies upon the BCA Criminal History System (CHS) as the state central repository for data on persons arrested for felony, gross misdemeanor, and some misdemeanor offenses. It is used by the criminal justice community for decisions regarding investigations, arrests, bail/bond, criminal charges, plea bargains, convictions, probation, and placement in correctional facilities. It is also used during mandated background checks on individuals seeking employment or licensing for various positions. CHS also contains valuable information for researchers.</p>

(d) Jail policies 613 and 308.3.1 also require that a criminal background record check be completed before enlisting the services of any contractor who may have contact with inmates. The policies require that every person who may have inmate contact as a member or contractor shall, prior to service, undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Kanabec County Sheriff's Office.

In the past 12 months, there have been 0 contracts for services to conduct background checks for. Some of the contractors that were interviewed verified that they underwent a criminal background record check prior to being allowed access to the jail.

The Administrative Assistant described the criminal history records check process to the auditor. Records are run through the Bureau of Criminal Apprehension (BCA) by certified staff including dispatchers, jail sergeants, and herself. Predatory Offender Records (POR) are checked, as well as a warrants check. Fingerprints are taken and submitted as part of the criminal history check.

(e) The Jail either conducts criminal background records checks at least every five years for current employees and contractors who may have contact with inmates or has in place a system for otherwise capturing such information for current employees. See policies 613 and 308.3.1.

The PREA Coordinator provided the auditor with documentation of background records checks of current employees and contractors at five-year intervals. The auditor reviewed the list of employee and contractor names with dates of the last background accomplished and background next due at the five year interval mark in compliance with the provision of the standard. The process was also confirmed by the Administrative Assistant.

(f) Per policy 613.1 and 114.2.1, the Jail asks all applicants and employees who may have contact with inmates directly about previous misconduct in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. This same policy imposes upon employees a continuing affirmative duty to disclose any such misconduct.

Employees who may have contact with inmates shall disclose any conduct described above in written applications or interviews for promotion or specialized assignments. This was verified by the Administrative Assistant and the PREA Coordinator. A spot check of employee files verified the application process in respect to previous misconduct in compliance with this provision.

(g) Policy 613.1 states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

This was verified by the PREA Coordinator and a review of rejection criteria to include evidence that the applicant misrepresented or falsified any information in the background packet or to the office during the interview process.

(h) Finally, unless prohibited by law, the Jail is required by the Hiring and Promotion Decision policy found in 613.1, to 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 reviewed the data practices laws and advisories for employee backgrounds within the PREA compliance provisions at the KCSO. As an employee of the KCSO, they will be asked to provide information about themselves which will be used in evaluating their suitability for employment. The purpose of the request for information is to obtain information about the applicant/candidate to permit agencies to thoroughly analyze their qualifications and suitability for employment. Candidates are required to sign and date an understanding of the data practices advisory and release of information. Likewise, I was informed by the Administrative Assistant that the human resources division of Kanabec County handles all requests for information from other institutions or Sheriff's Offices. As long as there is a written release of information (ROI) signed by the former employee applying for a position at another facility, upon request from that other institution, the county would provide information on substantiated allegations of sexual abuse or sexual harassment involving the former employee. The county attorney's office would be consulted with any questions or concerns that should arise.

The KCSO complies with all provisions for hiring and promotions relevant to the PREA standard.



115.18	<b>Upgrades to facilities and technologies</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1485 398">(a) The Jail has not acquired a new facility or made a substantial expansion or modification to existing facilities since the last PREA audit. Nevertheless, policy 613.1, Upgrades to Facilities and Technologies, provides that when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse.</p> <p data-bbox="242 430 1433 521">The Sheriff and Jail Administrator both confirmed that when designing, acquiring, or planning a new jail or substantial modification to the facility, the agency would most definitely consider the effects of such changes on its ability to protect inmates from sexual abuse.</p> <p data-bbox="242 553 1484 645">(b) When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse. See policy 613.1.</p> <p data-bbox="242 676 1469 837">The Jail has recently installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since the last PREA audit. The project was completed in January of this year. Specifically, the Jail updated its cameras with newer models in the form of Accurate Controls and almost doubled the number of cameras in and around the facility. This is a combination security door and monitoring technology system for safety and security purposes. Cameras were installed in all housing units.</p> <p data-bbox="242 869 1477 1028">The Sheriff and Jail Administrator described the new system to the auditor. They said it was a high-priority project focused on the overall safety and security of the facility and to enhance the protection of inmates from incidents of sexual abuse by providing continual observation. Any allegations of sexual abuse are investigated and electronic video evidence is available for review in virtually every area of the jail. The auditor did not notice any blind spots or gaps in areas that were not monitored during the facility tour.</p> <p data-bbox="242 1059 1485 1487">The auditor toured all areas of the facility and checked the camera locations and the video monitoring system capabilities from the dispatch center, central control, and at the Jail Administrator's office. I was also provided with a list of cameras and locations totaling 144 sites within the secure perimeter of the jail and throughout the building. Also monitored are the routes to court and the courtrooms. The outside perimeter of the jail also has security cameras. The KCSO has made great strides in providing electronic supplemental supervision and monitoring for their staff in the form of cameras and monitors. Security staff and the PREA Coordinator had input as to camera placement and deployment of the video monitoring system. According to the Accurate Controls website, since 1982, Accurate Controls has designed integrated security automation systems for more than 500 correctional facilities across the United States. Accurate Controls' non-proprietary security systems provide proven technology and offer easy-to-operate touch-screen capability, architectural flexibility, and added security. In speaking with the dispatchers, corrections officers, and investigators that monitor and utilize the system, it has been an improvement in clarity and camera angles. Shower areas, toilet, and changing areas are not monitored and are custom edited out by the system administrator. See <a href="https://accuratecontrols.com/markets-server/corrections/">https://accuratecontrols.com/markets-server/corrections/</a>.</p>

115.21	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1481 499">(a) This KCSO is responsible for conducting administrative and criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). In the event of a conflict of interest, the Pine County Sheriff's Office would have responsibility for conducting such investigations at the Jail. Per policies 612.7, Prison Rape Elimination Act, Sexual Abuse and Harassment Investigations, and 212, Disposition of Evidence, when conducting a sexual abuse investigation, the agency investigators follow a uniform evidence protocol. Policy 613.6, Responsive Planning, Evidence Protocol and Forensic Medical Examination: Crime Scene Preservation, describes the procedures in place to preserve a crime scene for any alleged sexual abuse. This includes contacting the agency Investigative Division to begin an investigation.</p> <p data-bbox="240 528 1485 790">The auditor reviewed uniform evidence protocol for evidence that there is sufficient technical detail to aid responders in obtaining usable physical evidence. The auditor reviewed policy as well as the active PREA First Responder Sexual Assault Response Checklists. When an alleged act of a sexual nature has occurred, the appropriate steps are documented on the checklist to be used as a guide to follow to preserve the crime scene and chain of evidence. Jail staff and support staff are trained through their PREA orientation and continuing education regarding their responsibility when responding to a sexual assault. Training records and content were reviewed by the auditor in support of this provision. There is a Memorandum of Understanding in place between the KCJ and the Pine County Sheriff's Office for the purpose of providing investigative services to the KCJ in regards to a PREA allegation against a staff member.</p> <p data-bbox="240 819 1477 981">Correctional Officers (CO) were asked if they know and understand the agency's protocol for obtaining usable physical evidence if an inmate alleges sexual abuse, and if they know who is responsible for conducting sexual abuse investigations. All COs responded affirmatively. They were able to articulate the ways to maintain physical evidence (prevent victim from eating, drinking, using toilet, brushing teeth, changing clothes, washing hands, showering, etc.). They said that the investigators are from the field division of the KCSO as coordinated by the Jail Administrator and/or PREA Coordinator.</p> <p data-bbox="240 1010 1489 1137">(b) Although the Jail does not house youth, the protocol is developmentally appropriate for youth where applicable, and is 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. See policies 612.7 and 212.</p> <p data-bbox="240 1167 1453 1294">This provision was confirmed by the PREA Coordinator as the Investigators receive specialized training from the National Institute of Corrections' (NIC) "Investigating Sexual Abuse in a Confinement Setting" and the Advanced Investigations course. The PREA investigators were interviewed and confirmed their training and protocols. The auditor reviewed the investigator's training records and certificates of completion.</p> <p data-bbox="240 1323 1457 1386">(c) Per policies 612.16, Examination, Testing, and Treatment, and 613.6, Responsive Planning, the Jail offers all inmates who experience sexual abuse access to forensic medical examinations.</p> <p data-bbox="240 1415 1477 1612">The Jail offers all inmates who experience sexual abuse access to forensic medical examinations. The forensic medical examinations are offered without financial cost to the victim. Per policy 612.6, where possible, examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs), and when SANEs or SAFEs are not available, a qualified medical practitioner performs forensic medical examinations. Furthermore, this policy dictates that the facility documents efforts to provide SANEs or SAFEs. This jail has had 0 forensic medical examinations conducted in the past 12 months as there have been no reports of sexual assault.</p> <p data-bbox="240 1641 1492 1870">The jail nurse (RN) was asked about forensic examinations as a response to a potential sexual assault. They do not conduct forensic examinations in the jail. An alleged victim would be transported to the hospital for emergency medical services as well as investigative purposes for evidence collection. It is the responsibility of the jail in conjunction with the investigators to transport victims to the hospital for conducting SANE/SAFE examinations. In speaking with the Community Advocacy Manager at Family Pathways, the auditor was informed that the nearest hospital that has certified SANEs/SAFEs would be Cambridge Medical, which is within their service area. The hospital is 24 miles from the KCJ. A list of MN SANE programs can be found on the Minnesota Forensic Nurses website: <a href="https://mnforensicnurses.org/minnesota-sane-programs/">https://mnforensicnurses.org/minnesota-sane-programs/</a>.</p> <p data-bbox="240 1899 1492 2161">(d) The Jail attempts to make available to the victim a victim advocate from a rape crisis center per policy 612.15, Sexual Abuse Victims. If a rape crisis center is not available to provide victim advocate services, the agency makes available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member. The KCSO documents these efforts to secure services from rape crisis centers in an incident report as part of the investigative file as well as through incident team reviews and annual reviews of PREA incidents. The PREA Coordinator provided documentation of 2022 Audit PREA Annual Reviews for verification of compliance with this standard. For the purpose of this standard, a rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault of all ages. The agency may utilize a rape crisis</p>

center that is part of a governmental unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a nongovernmental entity that provides similar victim services. See policy 612.15.

Community outreach was conducted by calling Family Pathways. The auditor also reviewed past and current MOUs. The auditor verified verbally and in writing that victim support and advocacy services would be provided to victims of sexual assault at the jail. The PREA Coordinator and the Community Advocacy Manager from Family Pathways expressed that an emergency phone call would prompt an on-call advocate to respond to the jail or hospital as needed to accompany and support the victim through the forensic examination process and coordinate any follow up services. Family Pathways' support service provides domestic and sexual violence prevention and victim services to the region. They have not had a sexual assault case at the KCJ. See <https://www.familypathways.org/about-us/>.

(e) Per policies 612.16, Examination, Testing, and Treatment, and 613.6, Responsive Planning, if requested by the victim, a victim advocate, qualified agency staff member, or qualified community-based organization staff member accompanies and supports the victim through the forensic medical examination process and investigatory interviews, and provides emotional support, crisis intervention, information, and referrals.

The PREA Coordinator and Family Pathways representative also confirmed that this is a service provided and available 24/7 when requested by the jail and/or the victim. The MOU verified the written agreement for advocacy and support services for victims of sexual assault.

(f) To the extent the agency itself is not responsible for investigating allegations of sexual abuse, the agency shall request that the investigating agency follow the requirements of paragraphs (a) through (e) of this section. Policy 613.7, Investigations, Criminal and Administrative Agency Investigations, and 612.7, Sexual Abuse and Sexual Harassment Investigations, require that allegations of sexual abuse are referred and investigated by KCSO investigators and if it involves a staff member, an outside agency will conduct a prompt, thorough, and objective investigation. Allegations of sexual harassment by staff, contractors, or volunteers will be referred to an outside agency for an investigation. If the investigation is referred to another agency for investigation, the Office shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented. The Office shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation.

The auditor spoke with two investigators of the Sheriff's Office who confirmed that they are the ones who investigate all allegations of sexual abuse or sexual harassment in confinement. If there is a conflict of interest or the allegation involves a staff member, the Sheriff may request an outside agency, such as the Pine County Sheriff's Office (see MOU) to conduct the investigation for an unbiased and neutral look into the misconduct allegation.

(g) & (h) N/A

It was clear to the auditor that evidence protocols are followed and forensic medical examinations would be accomplished in the event of an allegation of sexual abuse at the KCJ.

115.22	<b>Policies to ensure referrals of allegations for investigations</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1445 362">(a) The Jail ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment (including inmate-on-inmate sexual abuse and staff sexual misconduct). This is supported by policies 612.7, Sexual Abuse and Sexual Harassment Investigations, and 613.7, Investigations.</p> <p data-bbox="240 398 1465 425">The auditor was informed that in the past 12 months, the Jail received 0 allegations of sexual abuse or sexual harassment.</p> <p data-bbox="240 461 1485 613">According to the Sheriff, they ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse or sexual harassment. He described the initial notification to investigators in conjunction with medical care for the alleged victim. They have trained and experienced investigators who follow the uniform evidence protocols, and policies and procedures of the KCSO, to provide a prompt and comprehensive investigation that is documented and referred for prosecution if substantiated.</p> <p data-bbox="240 649 1493 837">(b) The Jail has in place a policy 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. The Kanabec County Sheriff's Office has the legal authority to conduct such investigations. See policies 612.4, Reporting Sexual Abuse, Harassment, and Retaliation, and 613.7, Investigations. Per policy 612.3(k), PREA Coordinator, the agency publishes such policy on its website and makes the policy available through other means. The agency documents all such referrals.</p> <p data-bbox="240 873 1481 927">The KCSO employs peace officers as licensed through the MINNESOTA BOARD OF PEACE OFFICER STANDARDS AND TRAINING (POST).</p> <p data-bbox="240 940 1493 1294">Minnesota Statute 626.84 charges Minnesota's licensed peace officers with the prevention and detection of crime and the enforcement of general criminal laws of the state, and, gives them full power of arrest. But Minnesota's peace officers do more. They work to solve problems and respond to emergencies in our communities. They do what it takes to protect and promote the peace and safety of Minnesotans. The Minnesota POST Board licenses nearly 11,000 profession peace officers who are employed at more than 400 law enforcement agencies in the state. These officers have received specialized education and training before being employed at state, county, and local levels. Licensed peace officers include municipal police officers, sheriffs and deputy sheriffs, Minnesota State Patrol officers, enforcement officers of the Department of Natural Resources, special agents of the Bureau of Criminal Apprehension, and officers at other law enforcement agencies. Additionally, the KCSO also provides further education and training to its deputies. Investigators receive specialized training in their field and PREA investigators have received specialized training to investigate sexual assaults or sexual abuse in confinement. Thus, they have the legal authority to conduct PREA investigations.</p> <p data-bbox="240 1308 845 1361">See <a href="https://dps.mn.gov/entity/post/becoming-a-peace-office/r/Pages/who-are-minnesota-peace-officers.aspx">https://dps.mn.gov/entity/post/becoming-a-peace-office/r/Pages/who-are-minnesota-peace-officers.aspx</a>.</p> <p data-bbox="240 1397 1485 1585">According to the jail website, the Kanabec County Sheriff's Office, and the Department of Corrections, there is a zero-tolerance standard for incidents of sexual abuse and sexual harassment and prevention of inmate sexual abuse is a top priority. The Kanabec County Sheriff's Office extends this zero tolerance policy to include any personnel, volunteers, interns, or contract personnel, who may have contact with inmates and will thoroughly investigate and hold accountable a person(s) who violates these policies and Minnesota State laws. See <a href="https://www.kanabeccounty.org/departments/jail.php">https://www.kanabeccounty.org/departments/jail.php</a>.</p> <p data-bbox="240 1621 1490 1742">The auditor spoke with two KCSO investigators relative to this provision. They confirmed that they have the legal authority to conduct criminal investigations as referred and reported by the jail for all allegations of sexual abuse or sexual harassment. They are trained specifically to investigate allegations of sexual abuse in confinement. They abide by the office policies, procedures, and uniform protocols.</p> <p data-bbox="240 1778 1398 1832">The auditor reviewed a few older PREA incident reports that were unfounded and a sexual harassment report which indicated that prompt and thorough investigations had been referred and conducted by investigators of the KCSO.</p> <p data-bbox="240 1868 1485 2092">(c) N/A. If a separate entity is responsible for conducting criminal investigations, such publication shall describe the responsibilities of both the agency and the investigating entity. As previously established, the KCSO conducts its own criminal and administrative investigations. As described in the same policies (613.7 and 612.7), allegations of sexual abuse will be referred and investigated by another agency if it involves a staff member. If the investigation is referred to another agency for investigation, the Office shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented. The Office shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation.</p> <p data-bbox="240 2128 1465 2154">The investigators described the role they would play when an outside agency is investigating an allegation of sexual abuse</p>

by a staff member. Mostly, this would be handled by the Sheriff or his designee as an internal affairs issue. They would help coordinate witnesses and/or facilitate video evidence as requested.

The MOU between the Pine County Sheriff's Office and the KCSO in place for outside agency investigation services require well trained PREA investigators. Pine County also agrees to provide reports to the KCSO for review and possible prosecution.

(d) N/A

(e) N/A

The KCSO has met their obligation to provide policies to ensure referrals of allegations for investigations as evidenced through agency administrator and investigator interview responses, procedural reviews, MOU agency agreements, a review of investigative reports, and KCSO/KCJ website information.

115.31	<b>Employee training</b>
	<p><b>Auditor Overall Determination:</b> Exceeds Standard</p> <p><b>Auditor Discussion</b></p> <p>(a) The Jail trains all employees who may have contact with inmates on: (1) Its zero-tolerance policy for sexual abuse and sexual harassment; (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; (3) Inmates' rights to be free from sexual abuse and sexual harassment; (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; (5) The dynamics of sexual abuse and sexual harassment in confinement; (6) The common reactions of sexual abuse and sexual harassment victims; (7) How to detect and respond to signs of threatened and actual sexual abuse; (8) How to avoid inappropriate relationships with inmates; (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. This is outlined in policy 613.2, Training and Education, and further supported by provided documentation of Red Flags handout, PREA Essentials training list, and First Responder PREA Checklist.</p> <p>This Jail provides initial PREA education and training through the new employee orientation and field training program (FTO). Additional PREA training is provided annually, with quarterly refreshers on various PREA topics, and uses videos from the PREA Resource Center in addition to their own training videos and materials. The auditor studied numerous training documents in support of this standard to include: CO training calendars, employee training records for the past three years, the PREA training curriculum, and PREA power points. Jail staff are also required to review PREA policies and procedures as part of their continuing education requirements. All criteria required of the standard are met.</p> <p>CO interview responses affirmed that they are all trained in all PREA topics as required in the standard.</p> <p>(b) This provision of the PREA employee training standard requires that the Jail's PREA training is tailored to the gender of the inmates at the Jail. An employee receives additional training if the employee is reassigned from a facility that houses only female inmates, or vice versa. The KCJ is a co-ed facility with both male and female security staff employed.</p> <p>A review of PREA training content indicates that jail staff are trained in how to conduct cross-gender pat searches in a professional and respectful manner and in the least intrusive manner possible, consistent with security needs, as well as limitations on cross-gender viewing. The auditor also noted that there is a training section which addresses the common reactions of victims of sexual abuse and the signs to look for. Females and youth have different reactions than men in general. Staff receives training on security measures and the separation of male and female populations in the same facility. The unique vulnerabilities of Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) inmates are incorporated into training and screening protocols. The responsibility for setting and maintaining professional boundaries belong to the jail staff.</p> <p>(c) All current employees of the Jail who have not received the PREA training are trained within their first year of employment and prior to interaction with inmates per policy 613.2, Training and Education. The Jail provides each employee with refresher training every two years to ensure that all employees know the Jail's current sexual abuse and sexual harassment policies and procedures. See policy 613.2. All employees receive additional PREA training a minimum of four times per year with 1-2 hour quarterly training so all employees can have information on current sexual abuse and sexual harassment policies.</p> <p>The auditor reviewed all training materials as previously described. Initial PREA education and continuing education is provided to the COs of the KCJ above and beyond the minimum standards.</p> <p>(d) Per policy 612.3, the Jail documents that employees who may have contact with inmates understand the training they have received through employee signature or electronic verification.</p> <p>The PREA Coordinator provided the auditor with quarterly training topics to include staff signatures and dates of completion. A spot check of other training records included documentation and signatures of proficiency as well as a statement of understanding and expectations, with the opportunity to ask questions. As another layer of assurance, the MN DOC also inspects to ensure that staff training and education standards and training records are being met at the jail in accordance with Rule 2911.1300, Custody Staff Training. This is documented through the annual state inspection report.</p> <p>The KCJ substantially exceeds the requirements of this standard with frequency of training above and beyond that which is required of the employee training standard as evidenced above.</p>

115.32	<b>Volunteer and contractor training</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1430 365">(a) At this Jail, all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response per policy 613.2, Contractor and Volunteer Training.</p> <p data-bbox="242 396 1476 622">This is further supported by the provided documentation of Sergeant - Sexual Abuse Response Checklist, First Responder - Sexual Abuse Response Checklist, Health Services - Sexual Abuse Response Checklist, and Sexual Violence Prevention (PREA) Checklist. This training is arranged by the Jail Programmer and completed annually. There have been 7 volunteers and contractors who may have contact with inmates who have been trained in the Jail's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response: 3 kitchen staff and 4 program volunteers. Although none of the kitchen staff and program volunteers have had contact with inmates in the last 12 months due to COVID, the training was still completed.</p> <p data-bbox="242 654 1457 781">The auditor spoke with the Program Coordinator who verified that all volunteers and contractors have been PREA trained. The auditor reviewed the handbooks and training materials in support of this standard. The jail nurse and the kitchen manager provided the auditor with their PREA training records for review. The jail nurse also participates in specialized PREA training for her field as provided by her company, Advanced Correctional Health (ACH).</p> <p data-bbox="242 813 1465 938">The auditor also interviewed two volunteers and two contractors relative to this standard. All interviewees confirmed that they have been trained in their responsibilities regarding sexual abuse and sexual harassment policies and procedures. They articulated to the auditor the zero-tolerance policy and were aware of their reporting responsibilities. They described their first responder roles.</p> <p data-bbox="242 969 1465 1095">(b) The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. This is supported by policy 613.2.</p> <p data-bbox="242 1126 1437 1187">At this jail, kitchen staff complete their PREA training on the MN Department of Corrections (DOC) website and program volunteers train with the Jail Programmer annually.</p> <p data-bbox="242 1218 1469 1344">The volunteers and contractors that were interviewed described what their PREA training consists of. They were able to articulate their roles and responsibilities in terms of reporting, signs of abuse to look for, and the KCJ zero-tolerance policy. They described their training as being online and written instruction. They also described their handbook and orientation to PREA. The auditor again reviewed a sample of their training records.</p> <p data-bbox="242 1375 1425 1435">(c) The agency maintains documentation confirming that volunteers and contractors understand the training they have received. See policy 613.2.</p> <p data-bbox="242 1467 1465 1496">The auditor reviewed the relevant documentation for signed acknowledgement of understanding by volunteers/contractors.</p> <p data-bbox="242 1527 1174 1556">The auditor finds the KCJ in full compliance with PREA training of volunteers and contractors.</p>

115.33	<b>Inmate education</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 331">(a) Per policy 613.2, Inmate Education, inmates receive information at the time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment.</p> <p data-bbox="240 360 1485 555">This is further supported by the provided KCJ acknowledgement form which contains a PREA section. The inmate signs acknowledgement that they have read all the information and asked any necessary questions. Also provided to the auditor was the Booking - PREA Pamphlet. All inmates receive the PREA pamphlet at booking and watch the orientation and PREA video. The materials specifically contain the zero-tolerance policy and reporting information for sexual abuse or sexual harassment. There are also PREA notices in the booking room. 643 inmates were admitted during the past 12 months. 643 inmates were given this information at intake.</p> <p data-bbox="240 584 1485 815">The assistant auditor interviewed intake staff. They explained that initial information about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment are provided on the form they sign and a pamphlet is given to the inmates as well as the Orientation Video which contains PREA information shown during the booking stage. All new inmates are provided with this information, even those who have been transferred from another facility. 13 inmates were also interviewed relative to this provision. They were asked, "When you first came here, did you get information about the facility's rules against sexual abuse and harassment?" All the inmates affirmed that they received the information at booking and described the PREA pamphlet and the booking video.</p> <p data-bbox="240 844 1485 972">The auditor reviewed a sample of intake records of inmates entering the facility in the last 12 months and found documentation of the PREA acknowledgement form. The form also indicates that the inmate has been provided the opportunity to view/listen to the KCJ Orientation video or KCJ Inmate handbook. Relevant inmate education material is contained within the inmate handbook.</p> <p data-bbox="240 1001 1485 1099">(b) Within 30 days of intake, the Jail provides comprehensive education to inmates through video, the inmate handbook, and PREA posters regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. See policy 613.2.</p> <p data-bbox="240 1128 1485 1227">This is accomplished with the Orientation/PREA video being replayed every Sunday morning in all cell blocks and intermittently at meal times. 100% of inmates (60 out of 60) who stayed for 30 days or more received this additional PREA education.</p> <p data-bbox="240 1256 1485 1451">The intake staff were asked how the agency ensures that inmates are educated regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. They described the orientation video, pamphlet, and zero-tolerance posters. Inmates are advised during the booking process through the PREA questions to tell staff if unsafe. This information is used as part of the classification process. Inmates are made aware of these rights usually within 30 minutes of intake and on a continuing basis.</p> <p data-bbox="240 1480 1485 1675">Inmates were also interviewed relative to this standard. All but one said they were given PREA information at booking and some talked about the orientation video that is played weekly. The auditor observed PREA posters and the inmate handbook within all housing units and program areas. The auditor viewed the orientation and PREA video that the inmates see at booking and continuing at least weekly thereafter. There are televisions in every housing unit. The auditor determined that inmates are provided comprehensive information on their rights to be free from sexual abuse and sexual harassment and retaliation for reporting well within the 30-day time requirement.</p> <p data-bbox="240 1704 1485 1868">(c) All current inmates at this jail have been educated on PREA at intake/booking. Jail policy further requires that inmates who are transferred from one facility to another be educated regarding their rights to be free from both sexual abuse and sexual harassment, and retaliation for reporting such incidents, and on agency policies and procedures for responding to such incidents, to the extent that the policies and procedures of the new facility differ from those of the previous facility (613.2 Inmate Education).</p> <p data-bbox="240 1897 1485 2092">The Jail's policy further describes that inmate education will occur at intake, at/prior to 30 days of confinement, and at/prior to one year confinement. Education at 30 days and 365 days will be comprehensive. The KCJ shall maintain documentation of inmate participation in these education sessions. Inmate education is tracked in the jail and program logs. The KCJ intake form goes beyond the PREA statement, and documents jail orientation to include PREA. Inmate handbooks are accessible within every housing unit as noted by the auditor. Page 5 and 6 of the handbook contain PREA information. The auditor watched the orientation video that is played at least weekly for the inmates and it contains continuing PREA education.</p> <p data-bbox="240 2121 1485 2150">(d) Per policy 613.2, the Jail provides inmate education in formats accessible to all inmates, including those who are limited</p>



English proficient, deaf, visually impaired, otherwise disabled, as well as to inmates who have limited reading skills. This is further supported by the provided PREA Poster in Spanish and PREA Brochure showing interpreter access information.

The auditor received, reviewed, and observed Spanish PREA education materials. Interpreter services and translation devices are available as needed. The orientation video is captioned with sub-titles for the hard-of-hearing or deaf inmate. Those inmates unable to read are assisted by jail staff or the jail programmer. This was verified by the PREA Coordinator.

(e) The Jail maintains documentation of inmate participation in these education sessions. See policy 613.2.

Documentation can be found on the intake form and tracked in the jail and program logs.

(f) The Jail ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, inmate handbooks, or other written formats, such as PREA posters and other information posted in cell blocks. See also policy 613.2.

During the on-site audit, the auditor toured and observed facility posters, signage, and pamphlets readily available and visible within the housing units as well as in program areas and at intake. The auditor went into every housing unit and asked inmates and jail staff about PREA safety and where information could be found. Inmates were quick to point out the visible information with the zero-tolerance policy and how to report information emphasized.

The auditor reviewed all forms of PREA education and informational materials in compliance with the inmate education standard. Verbal interactions with jail staff and inmates confirmed that inmates are educated initially and continuously throughout their incarceration on the KCJ zero-tolerance policy and how to report incidents of sexual abuse or sexual harassment. Formal interviews with inmates further confirmed that retention of PREA education is maintained. Of special note is the prevention piece found within the inmate handbook that provides the following rules are in place to prevent sexual harassment and misconduct (if violated they are considered major offenses): Do not enter another Inmate's cell, when sitting on the toilet a hand towel must be placed over your lap, inappropriate, derogatory, sexual, suggestive remarks or actions towards a Corrections Staff or other inmates will not be allowed, inmates are required to be fully clothed (from neck to feet) at all times, except when changing clothes, showering, or using the restroom, inmates should change inside shower area, no portion of the undergarments will be visible, and clothes must be worn while sleeping.

The auditor finds that the KCJ exceeds the minimum provisions of the standard by providing comprehensive education well under the 30-day stay time limit.

115.34	<b>Specialized training: Investigations</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1465 365">(a) In addition to the general training provided to all employees pursuant to § 115.31, the Jail ensures that its investigators have received training in conducting such investigations in confinement settings. See policy 613.2, Specialized Training: Investigations, and PREA Investigator Training documentation.</p> <p data-bbox="240 398 1485 689">The auditor was provided with recent training logs and certificates of completions for PREA: Investigating Sexual Abuse in a Confinement Setting and Advanced Investigations dated May 1, 2020. This is a 3-hour online course provided by the National Institute of Corrections. The auditor recently completed the initial investigations course for a better understanding of the content. The main purpose of this course is to assist agencies in meeting the requirements of Prison Rape Elimination Act (PREA) Section 115.34, "Specialized Training for Investigators." At the end of this course, the attendee will be able to explain the knowledge, components, and considerations that an investigator must use to perform a successful sexual abuse or sexual harassment investigation consistent with PREA standards. See <a href="https://nicic.gov/prison-rape-elimination-act-prea-investigating-sexual-abuse-confinement-setting-course">https://nicic.gov/prison-rape-elimination-act-prea-investigating-sexual-abuse-confinement-setting-course</a>.</p> <p data-bbox="240 723 1477 779">The auditor interviewed two PREA investigators of the KCSO. They both confirmed receipt of training specific to conducting sexual abuse investigations in confinement settings.</p> <p data-bbox="240 813 1477 1003">(b) Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. KCJ Policy 613.2, Training and Education, Specialized Training: Investigations, specifies that the Kanabec County Investigative Division will be responsible for conducting sexual abuse investigations in the jail. Investigators receive training in conducting sexual abuse/sexual assault investigations and will comply with these provisions of the standard.</p> <p data-bbox="240 1037 1477 1093">The auditor interviewed two PREA investigators of the KCSO. They both confirmed receipt of training specific to conducting sexual abuse investigations in confinement settings. Training topics include:</p> <ul data-bbox="240 1126 1241 1328" style="list-style-type: none"> <li>* Techniques for interviewing sexual abuse victims;</li> <li>* Proper use of Miranda and Garrity Warnings;</li> <li>* Sexual abuse evidence collection in confinement settings; and</li> <li>* The criteria and evidence required to substantiate a case for administrative or prosecution referral.</li> </ul> <p data-bbox="240 1361 1369 1417">The NIC PREA investigation courses educate on the PREA-mandated criteria for allegations of sexual abuse in a confinement setting.</p> <p data-bbox="240 1451 1385 1507">(c) The Jail maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.</p> <p data-bbox="240 1541 1477 1597">Two investigators currently employed by the Jail have completed the required training. They have taken the initial course as well as the advanced course. See PREA Investigator Training documentation as previously described.</p> <p data-bbox="240 1630 328 1657">(d) N/A.</p> <p data-bbox="240 1691 1461 1747">The KCSO provided evidence of specialized investigator training for PREA incidents and therefore meets the provisions of this standard.</p>

115.35	<b>Specialized training: Medical and mental health care</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1465 465">(a) Per policy 613.2, Special Training: Medical and Mental Health Care, the Jail ensures that all full and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: (1) How to detect and assess signs of sexual abuse and sexual harassment; (2) How to preserve physical evidence of 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. <i>See also</i> Health Services - Sexual Abuse Response Checklist.</p> <p data-bbox="240 501 1485 622">There are 3 medical and mental health care practitioners who work regularly at this facility who received the training required by Jail policy: the Registered Nurse, Nurse Practitioner, and Mental Health Practitioner. This amounts to 100% of all medical and mental health care practitioners who work regularly at this facility and have received the training required by agency policy. The RN attends PREA training with the jail staff.</p> <p data-bbox="240 658 1481 779">The auditor reviewed all training records and personnel records to verify that regular practitioners have been PREA trained specifically to their specialty. The jail policy sufficiently requires all elements addressed by PREA standard. The auditor also examined policy to verify that all required elements are addressed. The full-time jail nurse has completed all annual general PREA courses as provided to the jail staff since 2019.</p> <p data-bbox="240 815 1485 936">The auditor interviewed the jail nurse and the mental health practitioner about the training they receive. They both verified receipt of specialized training regarding sexual abuse and sexual harassment and the topics covered according to the PREA standard. The RN also described the Sexual Abuse First Responder Checklist as a guide when responding to a sexual abuse allegation related to her role and responsibility.</p> <p data-bbox="240 972 1460 1025">(b) Medical staff at this facility do NOT conduct forensic medical exams. This is verified by the PREA Coordinator, the jail nurse, and policy 612.16.</p> <p data-bbox="240 1061 1444 1115">(c) The Jail maintains documentation showing that medical and mental health practitioners have completed the required training. <i>See</i> policy 613.2.</p> <p data-bbox="240 1151 1469 1308">A review of the training transcript with certificates of completion were reviewed for the full-time jail nurse. Recent training (2020 and 2021) included Employee Conduct, IDHR Sexual Harassment, PREA Training, and Professional Boundaries. 2022 PREA Training was also accomplished. The jail nurse confirmed that she receives both general jail PREA training as well as specialized PREA training by Advanced Correctional Health (ACH) specific to her role as the medical representative.</p> <p data-bbox="240 1344 1449 1433">The auditor also reviewed medical referral forms, and medical history and health appraisals as they relate to PREA. The Health Services - Sexual Abuse Response Checklist is used as a guide in response to an alleged sexual abuse. Policies and protocols are studied as part of the specialized training requirements.</p> <p data-bbox="240 1469 1412 1523">(d) Medical and mental health care practitioners at the Jail also receive the training mandated for employees under § 115.31. <i>See</i> policy 613.2.</p> <p data-bbox="240 1559 1476 1783">As previously established, this policy also requires general employee training that meets all the PREA criteria ( <i>see</i> 115.31), as well as requiring all contractors and volunteers who have contact with inmates to be given the KCJ PREA informational packet. The documents contain information on their responsibilities regarding prevention, detection, and reporting of sexual abuse and sexual harassment. All contractors and volunteers shall be required to sign an acknowledgement form indicating they have read and understand PREA Policies and Procedures. The Program Coordinator shall maintain documentation as long as services are provided and for 5 years upon separation of services. The documentation shall confirm that the contractor and volunteers understood the training they received.</p> <p data-bbox="240 1818 1489 1939">The auditor examined all training records to confirm that the training and continuing education provided to medical and mental health staff consisted of the same employee and contractor training provided to those members. These accomplishments were also confirmed by the Jail Program Coordinator, PREA Coordinator/Training Officer, and medical and mental health staff.</p>

115.41	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1493 566">(a) Jail policy 613.3, Screening for Risk, requires screening (upon admission to a facility or transfer to another facility) for risk of sexual abuse victimization or sexual abusiveness toward other inmates. The Inmate Classification Policy 516 also addresses the jail intake and screening process. The Jail Administrator creates and maintains a classification plan to guide staff in the processing of individuals brought into the facility. The plan should include an initial screening process, as well as a process for determining appropriate housing assignments. The plan should include use of an objective screening instrument, procedures for making decisions about classification and housing assignments, intake and housing forms, and a process to ensure that all classification and housing records are maintained in each inmate's permanent file. The plan should include an evaluation of criteria such as gender, age, current charges, previous sexual victimization or prior acts of sexual abuse, and other criteria deemed appropriate.</p> <p data-bbox="240 600 1493 790">Interviews were conducted of the staff who conduct the risk screening and a random sample of inmates. Staff who perform screening for risk of victimization and abusiveness confirmed that they screen inmates upon admission to their facility or transfer from another facility for risk of sexual abuse victimization or sexual abusiveness toward other inmates. Inmates were asked if when they first came here, they remembered whether they were asked any questions like whether they had been in jail before, whether they had been sexually abused, whether they identify as LGBT, or whether they might be in danger of sexual abuse. All 13 inmates that were interviewed recalled being asked these questions.</p> <p data-bbox="240 824 1394 880">The auditor also reviewed a spot check of current and past inmate records for accomplishment of the risk screening process.</p> <p data-bbox="240 913 1493 1104">(b) Policy 613.3 requires that inmates be screened for risk of sexual victimization or risk of sexually abusing other inmates within 24 hours of their intake. 643 inmates entered the Jail (either through intake or transfer) within the past 12 months. 630 inmates stayed longer than 24 hours. All inmates booked into the KCJ participated in the risk screening process. They were screened for risk of sexual victimization or risk of sexually abusing other inmates within 24 hours of their entry into the facility; this accounts for 100% of inmates. The PREA standard requires the intake screening to ordinarily take place within 72 hours of arrival at the facility.</p> <p data-bbox="240 1137 1426 1227">The inmates stated that they were asked the screening questions when they first arrived at the jail. Staff who perform screening for risk of victimization and abusiveness said that inmates are screened well within the 72 hour timeframe as required by PREA and usually within hours of their arrival.</p> <p data-bbox="240 1261 1477 1350">The auditor compared the timing of the risk screening relative to the time of an inmate's arrival. A review of the inmate screening records indicated that inmates are screened within hours of initial intake. The screening form documents the date accomplished with signatures of both inmate and staff.</p> <p data-bbox="240 1384 1458 1507">(c) Such assessments shall be conducted using an objective screening instrument. This is supported by the provided documentation of the Kanabec County Jail Sexual Violence Prevention PREA Checklist and Referral Form: Allegations of Previous Sexual Victimization. The Classification Plan policy (516.3) also requires the use of an objective screening instrument.</p> <p data-bbox="240 1541 1477 1731">The Department made clear in the PREA Notice of Final Rule that the "standard provides that the agency shall attempt to ascertain specific information about the inmate and that the agency develop an objective, rather than subjective, process for using that information. The Google Dictionary defines objective as: (of a person or their judgment) not influenced by personal feelings or opinions in considering and representing facts. The auditor studied the KCJ risk screening form for objectivity. A variety of variables are analyzed to include criminal history, physical attributes, the inmate's identity, staff perceptions, and any vulnerabilities expressed by the inmate.</p> <p data-bbox="240 1765 1493 2000">(d) The intake screening considers the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability; (2) The age of the inmate; (3) The physical build of the inmate; (4) Whether the inmate has previously been incarcerated; (5) Whether the inmate's criminal history is exclusively nonviolent; (6) Whether the inmate has prior convictions for sex offenses against an adult or child; (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (8) Whether the inmate has previously experienced sexual victimization; (9) The inmate's own perception of vulnerability; and (10) Whether the inmate is detained solely for civil immigration purposes. See KCJ Sexual Violence Prevention PREA Checklist, policy 613.3, and 516.3.</p> <p data-bbox="240 2033 1493 2157">A review of the KCJ Sexual Violence Prevention PREA Checklist indicated that all intake screening assessment criteria required of this PREA standard provision are met. A staff member that conducts the initial screening was asked what the initial risk screening considers. They explained that it is a 10-question questionnaire for higher risk, LBGQTQI, previous incarceration, criminal history, and previous sexual victimization. Any affirmative response to questions results in a referral to</p>

medical and mental health. Statistics show higher victimization or abuse with multiple affirmative answers. The risk screening officer also described the process for conducting the initial screening. There is a checklist in conjunction with jail classification, medical, mental health, staff observations, and arresting deputy input. Any issues are discussed with the sergeant and medical/mental health team.

(e) The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the Jail, in assessing inmates for risk of being sexually abusive. See Kanabec County Jail Sexual Violence Prevention PREA Checklist and policies 613.3 and 516.3.

The jail staff have numerous resources at their disposal to acquire prior conviction information and criminal history through the Minnesota Bureau of Criminal Apprehension. The Bureau of Criminal Apprehension (BCA) provides investigative and specialized law enforcement services to prevent and solve crimes in partnership with law enforcement, public safety, and criminal justice agencies. Services include criminal justice training and development, forensic laboratory analysis, criminal histories, and investigations. Predatory Offenders are searched through the "look up offender" function of My BCA. The Criminal History System (CHS) is the state central repository for data on persons arrested for felony, gross misdemeanor, and some misdemeanor offenses. It is used by the criminal justice community for decisions regarding investigations, arrests, bail/bond, criminal charges, plea bargains, convictions, probation, and placement in correctional facilities. It is also used during mandated background checks on individuals seeking employment or licensing for various positions. CHS also contains valuable information for researchers. See <https://dps.mn.gov/divisions/bca/about/Pages/default.asp>

x.

(f) Within a set time period, not to exceed 30 days from the inmate's arrival at the facility, the Jail reassesses the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening. (Reference Policy 613.3, Screening for Risk, KCJ Housing Classification of Inmates, and policy 528, Reclassification/Reassignment Procedures.)

The procedure for classification reviews consist of: Correctional staff shall document behavioral observations that could affect classification and housing unit placement decisions. The Correctional Sergeant(s) assigned to the night shift shall maintain a schedule of all classification reviews that are due. When scheduled classification reviews are conducted, all documented behavior observations, changes in status, and any other pertinent information shall be considered. The Correctional Sergeant conducting the review shall document all reasons for maintaining or changing the current classification and/or housing assignment in the inmate's profile.

The classification jailer shall review the status of all inmates who have been incarcerated in the facility for more than 30 days. Additional reviews should occur each 30 days thereafter. The review should examine changes in the inmate's behavior or circumstances and should either raise, lower, or maintain the classification status. Housing and program assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats experienced by the inmate. Inmate risk levels shall be reassessed when required due to a referral, request, incident of sexual abuse, or receipt of additional information that increases the inmate's risk of sexual victimization or abusiveness.

60 inmates entered the Jail (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 30 days or more and who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake; this constitutes 100% of inmates who stayed 30 days or longer. The PREA Coordinator and staff member who conducts screening for risk verified that an inmate's risk level is reassessed as needed due to a referral, request, or incident of sexual victimization or abusiveness.

An inmate's risk level is reassessed through the medical/mental health 14-day assessment for all inmates, as well as every 30 days for the classification review. None of the inmates interviewed recalled being asked the PREA screening questions a second time by jail staff. The auditor reviewed the screening records and there were no current inmates who had answered positively to any of the screening criteria. The auditor verified through a spot check of inmate files, classification, and medical records on-site. There is a referral form for allegations of previous sexual victimization with method of referral for medical, mental health, and/or victim's advocate. The medical history and health appraisal repeats the basic PREA screening questions to the inmate for a second review. Completed Initial Custody Assessment forms and ongoing classification records were also reviewed relative to this provision.

(g) An inmate's risk level is also reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. See policy 613.3, Screening for Risk, KCJ Housing Classification of Inmates, and 516.6.1, Periodic Classification Reviews.

This procedure was verified by the Risk Screening Officer and the PREA Coordinator. A review of screening reassessment documents also confirmed the reassessment process.

(h) Policy 613.3 prohibits disciplining inmates for refusing to answer (or for not disclosing complete information related to) questions regarding: (a) whether the inmate has a mental, physical, or developmental disability; (b) whether the inmate is or

is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; (c) whether the inmate has previously experienced sexual victimization; and (d) the inmate's own perception of vulnerability.

The Risk Screening Officer and the PREA Coordinator said that inmates are never disciplined for refusing to answer all or any of the PREA questions. Those inmates will be monitored closely until further evaluation. The auditor did not find any inmate disciplinary reports for refusal to answer these questions during the initial risk screening process.

(i) The Jail implements appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Per policy 613.3: "Information obtained in response to screening questions shall be considered confidential and shall only be made available to those who have a legitimate need to know." Policy 516.3, Classification Plan, also addresses the confidentiality of the PREA screening responses.

The auditor reviewed numerous inmate jail files and risk screenings, and medical/mental health referrals were not part of the security records. Screening risk assessments and referrals are maintained in the medical office. Interviews with the PREA Coordinator and Risk Screening Officer as well as medical and mental health practitioners all indicated that previous sexual victimization information is kept separate and made available on a need to know basis. Jail sergeants are provided with this sensitive information for essential classification purposes such as housing assignments and programming. The KCJ Sexual Violence Prevention PREA Checklist itself notes to forward to the sergeant any "yes" responses and that this information is private data -- do not copy and place in a confidential file. Health services title and signature is required as part of the referral process. The Referral Form: Allegations of Previous Sexual Victimization KCJ also notes that copies of the form are to kept in the medical office, but are accessible to the PREA Coordinator.

The KCJ and ACH adhere to all provisions within the risk screening PREA standard as described above.

115.42	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1481 365">(a) The Jail uses information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. See policy 613.3, Screening for Risk, KCJ Housing Classification of Inmates.</p> <p data-bbox="242 398 1481 524">The Risk Screening Officer was asked how does the jail use information from the risk screening during intake to keep inmates safe from being sexually victimized or from being sexually abusive. He said that they use answers to the questions for classification purposes as to where to house the inmate. The PREA Coordinator and the Jail Administrator described the importance of a pro-active classification system combined with the risk screening tool for safe housing assignments.</p> <p data-bbox="242 557 1481 714">The auditor reviewed documentation of risk-based housing decisions and classification forms relative to this standard. The Initial Custody Assessment contains a custody evaluation combined with a review of the Sexual Violence Prevention PREA Checklist for risk of sexual victimization or abusiveness. The custody level is indicated according to a numeric scale for minimum, medium, or maximum security levels. Special management issues are also addressed. The ability to override a custody level is available to the corrections officer and/or jail supervisor.</p> <p data-bbox="242 748 1481 806">(b) The Jail makes individualized determinations about how to ensure the safety of each inmate. See policies 613.3, 516.4, 516.5, and 516.5.1.</p> <p data-bbox="242 840 1481 1032">The PREA Coordinator and the Risk Screening Officer confirmed that determinations about how to ensure the safety of each inmate are individualized according to the risk screening forms in conjunction with the initial custody assessment for housing and program assignments. Inmates are not assigned to a housing unit only based on current charges and criminal history, but closer examinations are made to other stability factors to include special management issues such as protective custody, threat of violence, medical or mental health issues, physical impairments, civil immigration, and most importantly risk of sexual victimization or abusiveness. They verified that they keep separate victims and predators.</p> <p data-bbox="242 1066 1481 1659">The initial classification process is intended to identify predatory, violent, and at-risk inmates. It should occur early in the intake process to allow for appropriate supervision while an inmate is being temporarily held in this facility and until a decision is made to place the individual into a more permanent housing assignment. Inmates should be interviewed by an intake jailer as soon as possible in the booking process. The intake jailer shall complete the initial classification form. The initial classification form should include a place for the intake jailer to make a housing recommendation. This recommendation should be based on the initial classification form, an assessment of the inmate's condition, and the inmate's interview. The initial classification form shall be placed in the inmate's file and provided to the classification jailer who will, within the limits of available resources, determine the appropriate temporary housing location. Inmates that display or report medical, psychological/emotional concerns or vulnerability may be placed in Administrative Segregation (medical segregation or protective custody) until placement is reviewed. Appropriate referrals should be made. Whenever an inmate is placed in Administrative Segregation, a Notice of Administrative Segregation must be forwarded to Jail Administration in accordance with Special Management Inmates. Once it has been determined that the person arrested will not be released from custody on bail or O.R., a more in-depth classification of the inmate will be conducted as soon as possible but no later than 24 hours after the inmate's arrival at the facility, after which the inmate will be moved to more permanent housing. The comprehensive classification process begins with a review of any initial classification information obtained during the reception and booking process, as well as an interview by the Inmate Classification jailer. The review of initial classification documents and the questions, answers, and observations from the inmate's interview will be documented and numerically scored, representing the security level and housing assignment appropriate for each inmate.</p> <p data-bbox="242 1693 1481 1818">(c) Policy 613.3 also provides that in deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the Jail considers 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.</p> <p data-bbox="242 1852 1481 1910">This was verified by the PREA Coordinator and the Jail Administrator. There were no transgender or intersex inmates currently in custody. The auditor did not find any records or documentation relative to this standard indicating otherwise.</p> <p data-bbox="242 1944 1481 2002">(d) Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate. See policy 613.3.</p> <p data-bbox="242 2036 1481 2161">At least two times per year, the jail will reassess and review any threats to safety experienced by the inmate regarding the placement and programming assignments for each transgender or intersex inmate. The Risk Screening Officer said that the reassessment actually occurs every 30 days for all inmates. The auditor sampled a few inmate jail files and found they contained classification and reclassification documents.</p>

(e) A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration. See policy 613.3.

The Risk Screening Officer confirmed that transgender or intersex inmates' views of his or her safety are given serious consideration in placement and programming assignments.

The auditor notes that the KCJ Sexual Violence Prevention PREA Checklist contains a section including additional information that an offender has a heightened need for supervision, additional safety precautions, or separation from other offenders in support of this standard. Inmates are asked if they have any reason to believe that they may be vulnerable to sexual abuse or harassment while incarcerated and if they consider themselves to be LGBTI or gender non-conforming. This information would then be forwarded as part of the Initial Custody Assessment and for further classification of housing assignment.

(f) Policy 814.9 addresses inmate showers. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates. (See also policy 613.3.)

Inmates shall be permitted to shower, perform bodily functions, and change clothing without non-medical 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. Staff of the opposite gender shall announce their presence when entering an inmate housing unit. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates. The auditor toured living units and accommodations made for transgender and intersex inmates to shower separately from other inmates. There are no group showers. All individual cells are equipped with private showers. Security curtains provide sufficient coverage for privacy. There are also showers available in the booking room if further privacy is needed away from the general population.

(g) The agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates. See policy 613.3.

The auditor searched for title, status, and findings of any consent decree, legal settlement, or legal judgment requiring a facility to establish a dedicated facility, unit, or wing for lesbian, gay, bisexual, transgender, or intersex inmates. There were none. There was limited documentation of housing assignments of inmates identified to be lesbian, gay, bisexual, transgender, or intersex to review for compliance with the standard. The PREA Coordinator and the Jail Administrator confirmed that inmates who identify as LGBTQI are classified and assigned housing according to individualized and case-by-case determinations. The inmate is allowed to provide input as to their housing preference according to status.

It should also be noted that the jail staff are PREA educated in how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates and how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. All jail staff at the KCJ are trained how to book an inmate into the jail, including how to conduct a risk screening as part of the booking process. There are not specialized assignments for intake. All staff are experienced at every post in the jail. Having this knowledge aids staff in understanding the importance of a Risk Screening procedure and how to use the information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.



115.43	<b>Protective Custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 499">(a) Per policies 612.9, Protective Custody, and 613.3, Screening for Risk, Kanabec County Jail Protective Custody, inmates at high risk for sexual victimization shall 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 are no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment. At this Jail, there were 0 inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment. The KCJ 510 Special Management Inmates policy also addresses this standard.</p> <p data-bbox="240 528 1445 689">The Jail Administrator confirmed their policy prohibiting placing inmates at high risk for sexual victimization or who have alleged sexual abuse in involuntary segregated housing in lieu of other housing areas, unless an assessment has determined there are no available alternative means of separation from potential abusers. He described the attributes of qualified and sufficient staff and the physical plant in addressing this provision. They have three sub day-rooms for administrative segregation to keep inmates separate and safe.</p> <p data-bbox="240 719 1461 779">The auditor toured all areas of the jail and observed housing units with special management capabilities. I did not find any records of inmates at high risk of sexual victimization being placed in involuntary segregated housing in the past year.</p> <p data-bbox="240 808 1461 938">(b) Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. See policies 612.9 and 613.3. If the Jail restricts access to programs, privileges, education, or work opportunities, the Jail would document: (1) The opportunities that have been limited; (2) The duration of the limitation; and (3) The reasons for such limitations. See policies 612.9 and 613.3.</p> <p data-bbox="240 967 1485 1064">The auditor reviewed the program schedule and logs in support of this standard. The jail program coordinator verified that inmates designated as administrative segregation are still allowed equal access to programming. They are flexible with their offerings and pay attention to inmates that are "flagged" as keep separate.</p> <p data-bbox="240 1093 1445 1223">The assistant auditor interviewed staff who supervise inmates in segregated housing. When inmates are placed in segregated housing for protection from sexual abuse or after having alleged sexual abuse, they still have access to educational and recreational programming. The staff works around schedules and lock down status to provide the same programming. There are no limitations.</p> <p data-bbox="240 1252 1477 1447">The auditor made observations and asked questions during the site review. There were inmates segregated as part of the quarantine requirements of Covid-19. There were no inmates segregated due to sexual victimization reasons. The auditor also reviewed documentation of in-cell and out-of-cell programs, privileges, education, and work opportunities for inmates in segregated housing for this purpose. There are currently no work opportunities due to Covid-19 for any inmate. The auditor was informed by the PREA Coordinator and the jail program coordinator that If the facility restricts access to programs, privileges, education, or work opportunities, there is documentation of:</p> <ul data-bbox="240 1476 1214 1619" style="list-style-type: none"> <li data-bbox="240 1476 667 1503">• The opportunities that have been limited;</li> <li data-bbox="240 1532 604 1559">• The duration of the limitations; and</li> <li data-bbox="240 1588 1214 1619">• The reasons for such limitations. Good records are kept of schedules and program participation.</li> </ul> <p data-bbox="240 1648 1453 1709">Two of the inmates interviewed were segregated for medical quarantine reasons and they were still allowed programming privileges, but they did not mix with inmates from another housing unit.</p> <p data-bbox="240 1738 1469 1834">(c) The Jail shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days. See policies 612.9 and 613.3.</p> <p data-bbox="240 1863 1461 1924">In the past 12 months, 0 inmates at risk of sexual victimization were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement.</p> <p data-bbox="240 1953 1485 2114">The Jail Administrator advised the auditor that inmates at high risk for sexual victimization or who have alleged sexual abuse would be placed in involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged. Any isolation confinement would be very temporary as alternative arrangements can be made quickly. Staff who Supervise Inmates in Segregated Housing informed the auditors that inmates are placed in involuntary segregated housing only until an alternative means of separation from likely abusers and safe housing can be arranged.</p>

The auditor did not locate any records of involuntary segregated housing for victims of sexual abuse in the past 12 months. The PREA Coordinator and the jail nurse reviewed inmate records with the auditor of those inmates who had reported previous sexual victimization. They were not placed in involuntary segregated housing for any length of time.

(d) If an involuntary segregated housing assignment is made, the Jail shall clearly document: (1) The basis for the facility's concern for the inmate's safety; and (2) The reason why no alternative means of separation can be arranged. See policies 612.9 and 613.3.

There were 0 case files to review inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months as this did not occur at this Jail. This policy and procedure was affirmed by the PREA Coordinator and the Jail Administrator.

(e) If an involuntary segregated housing assignment is made, the Jail affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population. See policies 612.9, 613.3, and 510, Special Management Inmates.

Staff who Supervise Inmates in Segregated Housing verified that reviews would be conducted and documented at a minimum of every 30 days, if not sooner. This provision was also verified by the Jail Administrator and the PREA Coordinator.

The KCJ complies in all material ways with the Protective Custody standard for the relevant review period.

115.51	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1485 499">(a) The KCSO/KCJ has established procedures allowing for multiple internal ways for inmates to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other inmates or staff for reporting sexual abuse and sexual harassment; and (c) staff neglect or violation of responsibilities that may have contributed to such incidents. Reference policy 613.4, Reporting - Reporting of Sexual Abuse or Sexual Harassment. The policy informs that inmates can verbally report the incident to staff, contractors, volunteers, visitors, or third parties. Policy 612.4, Reporting Sexual Abuse, Harassment, and Retaliation describes the ways inmates may report sexual abuse or sexual harassment. Inmates may report anonymously or to any staff member they choose.</p> <p data-bbox="242 528 1449 656">Persons in custody can call the KCSO Dispatch at (320) 679-8400. They can write to the Investigator at 18 N Vine Street, Suite 143, Mora, MN 55051. The auditor called the Dispatch phone number to test the process. The dispatcher confirmed that they would accept a call to report a sexual abuse. They can also give the PREA pamphlet or grievance to staff, contractors, volunteers, visitors, or third parties.</p> <p data-bbox="242 685 1430 813">The KCJ Inmate Handbook as well as PREA signage and posters also inform the inmates of the internal ways to report sexual abuse/harassment. The inmates are initially provided a PREA pamphlet at the time of booking with reporting instructions and contact information. The KCJ Inmate Handbook advertises that there is NO WRONG WAY to report a PREA Incident.</p> <p data-bbox="242 842 1445 1070">The auditor and assistant auditor interviewed the correctional staff. They were asked how inmates can privately report sexual abuse and sexual harassment by other inmates or staff for reporting sexual abuse and sexual harassment, or retaliation issues. All staff described numerous ways for inmates to privately report, such as speaking with a Corrections Officer, writing a note (kite), filing a grievance, calling the KCSO Dispatch, Pine County Dispatch, or Mille Lacs County Dispatch, or Pathways (previously known as Window Victim Services), and reporting through a third-party and/or anonymously. The inmates have the use of "texters" and phone access, so they could tell a family member or trusted friend.</p> <p data-bbox="242 1099 1493 1294">The inmates were also interviewed and asked how they would report any sexual abuse or sexual harassment that happened to them or someone else, and whether there was someone who does not work in this facility that they could report to. All but one of the inmates described multiple ways to report a PREA incident. They described the inmate handbook with contact information and instructions for reporting, their ability to tell a Corrections Officer or Jail Sergeant, they described the PREA posters with reporting information, they said they could call the "hotline," they could tell a family member or friend, or they could send a "kite".</p> <p data-bbox="242 1323 1493 1451">During the on-site audit, and during the facility tour, the auditor observed posters and signage as well as the KCJ Inmate Handbook within the housing units and readily available throughout the jail with reporting of sexual abuse/harassment instructions. The auditor asked the inmates how they would report and they responded of the many ways detailed above and referenced their resources as described.</p> <p data-bbox="242 1480 1493 1776">(b) In addition to inmate internal reporting options for sexual abuse/harassment allegations, jails are also required to provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency, and one that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. The standard also specifies that inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security. The KCJ provides three ways for inmates or third parties to report abuse or harassment to an outside agency. Policies 613.4, Reporting of Sexual Abuse or Sexual Harassment, 612.5.1, Reports by Inmates, and 608, Legal Requirements of Foreign Diplomats and Foreign Nationals - 608.4, Consular Notifications, address this standard.</p> <p data-bbox="242 1805 1473 2134">The auditor received and reviewed the reporting documents as provided by the PREA Coordinator relative to this standard. There are pamphlets provided to the inmates with outside reporting phone numbers for neighboring counties - Pine County, (320) 629-8438, and Mille Lacs County, (320) 983-8257, as well as for Family Pathways (previously known as Refuge or WINDOW Victim Services). The KCJ website and KCJ inmate Handbook also advertise this contact information for public/private entity reporting of PREA incidents that are not a part of the KCSO. There is also a Victim Information Card (like a business card) available to inmates with names and phone numbers of outside organizations for reporting options. The auditor again reviewed the MOUs for agreements to receive and forward PREA complaints. MOU's were updated in February and March of this year. Due to the change in confidential reporting and advocacy organizations, the KCJ has updated their contact information. Family Pathways provides Domestic Violence and Sexual Assault Services to the community, including the KCJ. There is a 24-Hour Crisis Line: (800) 338-SAFE (7233). The auditor conducted a phone</p>

check for compliance and acceptance of confidential reporting to a public/private outside agency. All confirmed that they would accept a sexual abuse allegation at any time from an inmate or third-party.

Below is the contact information:

Administrative Office  
6413 Oak St  
North Branch, MN 55056  
(651) 674-8040  
(877) 371-7100

<https://www.familypathways.org/contact/>

Investigator, 640 3rd Street SE, Milaca, MN 56353

Investigator, 635 Northridge Drive NW, Suite 100, Pine City, MN 55063

The assistant auditor also asked the inmates: "Do you know if you are allowed to make a report without having to give your name?" The majority of the inmates responded affirmatively that they could privately report or be anonymous when reporting. They were also asked about how they can report to someone outside of the facility and they described the resources and contact information available as found within the inmate handbook and as advertised on posters and pamphlets provided to them.

The auditor received and reviewed the consular notification documentation for process and procedure in support of this standard. There is a published list of foreign embassy and consulate telephone and fax numbers. The PREA Coordinator/Jail Sergeant verified that this information is provided to inmates detained solely for civil immigration purposes. It is the responsibility of the Jail Administrator to ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to office members.

(c) The KCSO/KCJ has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties, and staff are required to document all verbal reports. Policy 612.4 requires the acceptance of and prompt documentation of all reports made verbally, in writing, anonymously, or from third parties.

The KCJ Inmate Handbook advertises: "There is no wrong way to report a PREA incident."

All the staff interviewed confirmed that they accept all reporting options including those made verbally, in writing, anonymously, or from third parties. They understand that all allegations are to be documented. Most of the inmates were aware of the multiple ways to report sexual abuse or sexual harassment and were able to articulate where to find PREA information and reporting instructions as specified above.

(d) The KCJ has established procedures for staff to privately report sexual abuse and sexual harassment of inmates and are informed through policy and procedure documents, as well as initial PREA education and continued and frequent training. Policy 612.4 addresses this standard.

All the staff that were interviewed articulated various ways to privately report a sexual abuse/harassment incident, such as reporting to the Jail Administrator or PREA Coordinator. They described opportunities for private office meetings or emails, notes, or phone calls.

The auditor reviewed the content of the jail staff PREA training curriculum and verified that all staff have been trained in their reporting responsibilities for sexual abuse/sexual harassment.

The KCJ has met the Inmate Reporting standard in all material ways and are found to be substantially compliant.

See also <https://www.kanabeccounty.org/departments/jail.php>.

115.52	<b>Exhaustion of administrative remedies</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1489 398">(a) The KCSO/KCJ has an administrative procedure for dealing with inmate grievances regarding sexual abuse. The KCJ inmate grievance policy and procedure is spelled out in the 620 policy Grievances and specifically for PREA in 620.6, Additional Provisions for Grievances Related to Sexual Abuse. The emergency grievance procedure related to sexual abuse is also described in 620.6.1. See also 613.4 Reporting - Exhaustion of Administrative Remedies.</p> <p data-bbox="240 434 1489 492">KCJ staff shall receive any grievance of any type of sexual assault or sexual harassment no matter what the time frame when the alleged conduct occurred. The allegation will be directly forwarded to the Jail Administrator or designee.</p> <p data-bbox="240 528 1489 613">The KCJ Inmate Handbook also contains a PREA section with reporting instructions. There is also a Grievance Procedure section contained in the inmate handbook allowing inmates to file a written grievance concerning their personal health or welfare, or the operations and services of the facility.</p> <p data-bbox="240 649 1489 837">(b) KCSO/KCJ policy or procedure allows an inmate to submit a grievance regarding an allegation of sexual abuse at any time, regardless of when the incident is alleged to have occurred. Further, the policy does NOT require an inmate to use an informal grievance process, or otherwise attempt to resolve with staff, an alleged incident of sexual abuse. These same policies provide that inmates may submit a grievance regarding an allegation of sexual abuse at any time. Policy 620.6 clarifies that grievances related to sexual abuse shall not be attempted to be resolved informally, as is the case with other grievance issues.</p> <p data-bbox="240 873 1489 1133">The PREA section in the KCJ Inmate Handbook points out: "There is no wrong way to report a PREA incident." The KCJ provides multiple avenues for reporting a sexual abuse or sexual harassment. There are also posters and brochures throughout the facility which provide directions and contact information for reporting. The handbook has a Grievance Procedure for inmates wishing to report a health or welfare concern. The auditor went in every housing unit during the on-site audit tour and observed and physically examined the laminated handbooks which contained PREA and Grievance information. Inmates are educated at the time of booking with the PREA Statement to report any incidents, and are given continuing education of the Orientation video played at least weekly in the housing units. Jail staff are also trained and refreshed with reporting obligations and inmate grievance procedures.</p> <p data-bbox="240 1169 1489 1294">(c) Protective measures are in place as written in the KCJ grievance policies. The procedure detailed allows an inmate to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. The policy and procedure also requires that an inmate grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint. The grievance procedures are found in jail policies 620.6 and 613.4.</p> <p data-bbox="240 1330 1273 1357">The PREA Coordinator confirmed this procedure when dealing with grievances related to sexual abuse.</p> <p data-bbox="240 1393 1489 1706">(d) KCJ Grievance policies 620.6 and 613.4 describe the timeline requirements when responding to inmate grievances alleging sexual abuse or sexual harassment. The auditor compared the policies and procedures relative to the PREA standard requirements and all criteria are covered: (1) The agency issues a final decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance; (2) Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal; (3) The agency may claim an extension of time to respond of up to 70 days if the normal time period for response is insufficient to make an appropriate decision, and the agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made; (4) At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.</p> <p data-bbox="240 1742 1489 1800">The auditor was informed that in the past 12 months, there were 0 grievances filed that alleged sexual abuse. The auditor did not find any sexual abuse grievances upon inspection.</p> <p data-bbox="240 1836 1489 2065">(e) These same grievance policies demonstrate the PREA standard that allows: (1) third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, 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; (2) 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; (3) If the inmate declines to have the request processed on his or her behalf, the agency shall document the inmate's decision.</p> <p data-bbox="240 2101 1489 2159">The PREA Coordinator verified this process. The auditor compared the jail policies and procedures with the PREA criteria relative to this standard and confirmed compliance.</p>

(f) Similar to the standard grievance procedure related to sexual abuse at the KCJ, there is also a written process for handling emergency grievances related to sexual abuse for inmates at risk of imminent sexual abuse. (620.6.1 EMERGENCY GRIEVANCES RELATED TO SEXUAL ABUSE and 613.4 REPORTING - Reporting of Sexual Abuse or Sexual Harassment - Exhaustion of Administrative Remedies, (a) Process of Handling Emergency Grievances: Emergency Grievance.)

The auditor verified that the PREA requirements for emergency grievances are met according to policy and procedure at the KCJ: (1) The agency shall establish procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse; (2) After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the agency shall 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, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final agency decision documents the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

According to the PREA Coordinator, in the past 12 months, there were 0 emergency grievances related to sexual abuse and substantial risk of imminent sexual abuse at the KCJ. Upon inspection, the auditor did not locate any documented emergency grievances on this subject. The PREA Coordinator and Jail Administrator assured the auditor that all PREA allegations of any way, shape, or form are documented in a report.

(g) The KCJ is allowed to discipline an inmate for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the inmate filed the grievance in bad faith. Policy 613.4 addresses frivolous grievances. Inmates shall use the grievance process only for legitimate problems or complaints. If there is concern that an inmate is abusing the grievance process, he/she shall be informed that continued behavior may result in disciplinary action. A grievance process is available to express complaints without fear of reprisal or punitive disciplinary action. (See also 620.6.)

In the past 12 months there were 0 instances of disciplinary action against an inmate who had filed a grievance in bad faith. In speaking with the PREA Coordinator and the Jail Administrator, this would be a rare occasion since usually there are underlying factors and/or mental health issues contributing to the frivolous grievance, and the issue can be addressed through other avenues.

115.53	<b>Inmate access to outside confidential support services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1484 533">(a) PREA Standard 115.53 - Inmate access to outside confidential support services, requires 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, and, for persons detained solely for civil immigration purposes, immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. The KCSO/KCJ have policies that address this standard. (612.3, PREA Coordinator, 612.5 Retaliation/Inmate Reporting, 613.4, Reporting - Reporting of Sexual Abuse or Sexual Harassment/Inmate Reporting, 608.4.2, Consular Notification List and Contacts.)</p> <p data-bbox="240 562 1490 790">The Jail Administrator will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to office members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be faxed and then retained for the record. Prominently displayed placards informing inmates of rights related to consular notification should also be posted. Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and officials at the U.S. Department of Homeland Security. This was verified by the Jail Administrator. The auditor ensured that the materials with contact information were available at the jail.</p> <p data-bbox="240 819 1485 1182">The PREA Coordinator is responsible for making reasonable efforts to enter into agreements with community service providers to provide inmates with confidential emotional support services related to sexual abuse. The facility shall 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. Persons detained solely for civil immigration purposes shall be given contact information for immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies in as confidential a manner as possible. The facility shall 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. The PREA Coordinator confirmed and shared the updated MOU with Family Pathways who provide sexual assault services for the jail. See <a href="https://www.kanabeccounty.org/departments/jail.php">also https://www.kanabeccounty.org/departments/jail.php</a>.</p> <p data-bbox="240 1211 1493 1339">The auditor observed and reviewed jail posters, fliers, and the Inmate Handbook which contained the phone number and address for Family Pathways and a toll-free 24/7 crisis hotline for inmates or third parties for the confidential reporting of sexual abuse. There are sexual assault advocates available to respond to ER and law enforcement calls and provide support throughout the medical and criminal processes. See <a href="https://www.familypathways.org/get-help/">https://www.familypathways.org/get-help/</a>.</p> <p data-bbox="240 1368 1485 1597">The Inmate Handbook also provides Consulate Information to the inmates: "If you are a citizen of another country and have been incarcerated in our jail, you have certain rights under provisions of the Vienna Convention on Consular Relations. Specifically, you have the right to: contact the Consulate of the country in which you retain your citizenship, notify the Consul of your incarceration, and have consular officers from your country communicate with and/or visit you. Jail staff has a list of telephone numbers and addresses for all known Consular offices. Please notify a corrections officer if you wish to contact your consulate. Inmates detained for the sole purpose of civil immigration will be provided inmate education in their native language. Detainees will be assessed a risk level using the same screening tool as criminal detainees."</p> <p data-bbox="240 1626 1469 1821">The auditor received and reviewed the reporting documents as provided by the PREA Coordinator relative to this standard. There are pamphlets provided to the inmates with outside reporting phone numbers for neighboring counties: Pine County, (320) 629-8438, and Mille Lacs County, (320) 983-8257, as well as for Family Pathways (previously known as Refuge or WINDOW Victim Services). The KCJ website and KCJ inmate Handbook also advertise this contact information for public/private entity reporting of PREA incidents that are not a part of the KCSO. There is also a Victim Information Card (like a business card) available to inmates with names and phone numbers of outside organizations for reporting options.</p> <p data-bbox="240 1827 1485 2056">The auditor again reviewed the MOUs for agreements to receive and forward PREA complaints. MOU's were updated in February and March of this year. Due to the change in confidential reporting and advocacy organizations, the KCJ has updated their contact information. Family Pathways provides Domestic Violence and Sexual Assault Services to the community, including the KCJ. There is a 24-Hour Crisis Line: (800) 338-SAFE (7233). The auditor provided active engagement in testing this critical function and conducted a phone check for compliance and acceptance of confidential reporting to a public/private outside agency. All confirmed that they would accept a sexual abuse allegation at any time from an inmate or third-party.</p> <p data-bbox="240 2085 608 2112">Further contact information is below:</p>

Administrative Office  
6413 Oak St  
North Branch, MN 55056  
(651) 674-8040  
(877) 371-7100

<https://www.familypathways.org/contact/>

Persons in custody were asked: "Do you know if there are services available outside of this facility for dealing with sexual abuse if you needed it?" All but two responded affirmatively. They described the various related services available and some referenced WINDOW Victim Services or Family Pathways. They described where to find the information in their handbooks and on posters. Most of the inmates said that the facility provides them with phone numbers and mailing addresses for contact purposes. Some of the inmates thought the call would be a free call. They also said that they would have the capability of calling anytime unless they were locked down. Some mentioned the use of their "texters" to send a message of abuse. Finally, most of the inmates thought their conversations could be mostly private, but understood that if there is a crime, it would be reported.

(b) The KCJ informs 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. See policies 613.4, Reporting - Reporting of Sexual Abuse or Sexual Harassment - Inmate Access to Outside Support Services and Legal Representation, and 612.3, PREA Coordinator.

The auditor read the MOU with Family Pathways for confidential reporting at the request of the inmate and inmate support services of sexual victimization. The auditor conducted community outreach and spoke with the Community Advocacy Manager of Family Pathways who verified the agreement and partnership with the KCSO. Communications are conveyed as to the mandatory reporting of a sexual assault within the KCJ. The MOU addresses the safety of the inmates of the KCJ and requires the organization to provide information to the extent possible.

The auditor again reviewed the various posters, fliers, inmate handbooks, and jail website relative to this standard. The Jail Administrator, PREA Coordinator, and the auditor discussed the balance of confidentiality of data practices with the mandatory reporting laws to ensure inmate safety and response to an allegation of sexual abuse.

Most of the inmates thought their conversations could be mostly private, but understood that if there is a crime, it would be reported.

(c) The agency or facility maintains memorandum of understanding (MOU) or other agreements with community service providers that are able to provide inmates with emotional support services related to sexual abuse. (Reference policies 613.4 and 612.3.)

The auditor received and reviewed the MOU for inmate emotional support services related to sexual abuse since 2016. The MOU with Family Pathways was recently updated due to a change in the organization. The agreement between the KCJ and Family Pathways provides for confidential reporting services and confidential inmate support services as they relate to reports of criminal sexual conduct or sexual harassment. The MOU was also verified by the Manager of Family Pathways. The PREA Coordinator ensured that all advertising documents were updated with new names, addresses, and phone numbers. The auditor received and reviewed the updates for compliance of this standard. See *also* <https://www.familypathways.org/get-help/>.

Overall, as part of the community outreach with Family Pathways, the auditor learned that the organization is a non-profit 501(c)(3). A 501(c)(3) organization is a nonprofit organization established exclusively for one of the following purposes: charitable, religious, educational, scientific, literary, testing for public safety, fostering national or international amateur sports competition, or preventing cruelty to children or animals. In 2019 they officially became the Family Pathways name and organization. They receive funding from various sources. The Community Advocacy Manager at Family Pathways that I spoke with verified the MOU and partnership with the KCSO. They said that they serve the whole community of Kanabec County including KCJ inmates and their families by providing confidential reporting services and advocacy and support services. They are a 24/7 on-call and response organization. They accompany and provide support to victims of sexual assault during a forensic examination and coordinate follow-up services as needed. Callers are told right up front that they are mandatory reporters for crimes committed within the facility, but balance that with the confidential reporting premise. The nearest SAFE/SANE hospital for forensic examinations of sexual assault is Cambridge Medical and the Jail is part of their service area.



115.54	<b>Third-party reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="244 215 451 237"><b>Auditor Discussion</b></p> <p data-bbox="244 275 1461 432">The KCJ has established a method to receive third-party reports of sexual abuse and sexual harassment and distributes publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate according to the PREA standards. Policy 613.4, Reporting - Third-Party Reporting, and 612.3, Reporting Sexual Abuse, Harassment and Retaliation, describes this standard requirement. The PREA Coordinator is responsible for ensuring information on how to report sexual abuse and sexual harassment on behalf of an inmate is published on the office website (612.3).</p> <p data-bbox="244 465 1461 656">The auditor read the KCJ website which contained contact information and phone numbers for third-party reporting. The Moving Forward with Zero Tolerance poster found in the jail lobby states that if you receive information that an inmate is being abused or harassed sexually, please report the incident immediately. Three optional phone numbers for in-house reporting or outside confidential reporting is provided. There is also a brochure which can be found in the lobby carousel which describes the many ways to report and seek help. It describes the ability to call or write someone outside the facility who can notify facility administrative staff. The KCSO phone number is provided on that brochure.</p> <p data-bbox="244 689 1477 846">Jail staff and dispatchers are trained in PREA reporting standards and are responsible for following all jail policies. All jail staff interviewed understood that when an inmate alleges sexual abuse or sexual harassment, he or she can do so verbally, in writing, anonymously, and through third parties. The auditor called the KCSO dispatch number at (320) 679-8400 as well as the Mille Lacs County Dispatch Center at (320) 983-8257 for testing purposes, and both dispatchers advised the auditor that yes, they would accept PREA incident reports from anonymous or third-parties.</p> <p data-bbox="244 880 1477 1003">The inmates were asked how they would report any sexual abuse or sexual harassment that happened to them or someone else and if there is someone who does not work in this facility who they could report to about sexual abuse or sexual harassment. They were able to articulate various options for reporting abuse, including telling a family member or friend or someone else outside of the facility, and that person could report the abuse or harassment on their behalf.</p> <p data-bbox="244 1037 1422 1126">The KCJ Inmate Handbook within the PREA section contains reporting information with contact information and phone numbers. They advertise that there is "No Wrong Way to report a PREA incident." See also <a href="https://www.kanabeccounty.org/departments/jail.php">https://www.kanabeccounty.org/departments/jail.php</a>.</p>

115.61	<b>Staff and agency reporting duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1481 465">(a) The KCSO/KCJ requires all staff to report immediately and according to 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; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Various policies address this PREA standard. 613.2, Training and Education/Employee Training, 613.5, Official Response Following Inmate Report, 613.7, Investigations/Administrative Investigations, and 612.4, Reporting Sexual Abuse, Harassment, and Retaliation.</p> <p data-bbox="240 499 1453 591">All Corrections Officers interviewed affirmed that any suspicion or indication regarding an incident of sexual abuse/sexual harassment would be reported immediately. Retaliation issues and staff neglect or violation of responsibilities that contributed to an incident would also have to be reported. All relevant information needs to be included in the report.</p> <p data-bbox="240 624 1485 819">The auditor also reviewed the staff PREA training and continuing education content. Staff are trained as to how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. Related training topics include: inmates' right to be free from sexual abuse and sexual harassment, the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment, how to detect and respond to signs of threatened and actual sexual abuse, and how to distinguish between consensual sexual contact and sexual abuse between inmates.</p> <p data-bbox="240 853 1485 1142">(b) Apart from reporting to designated supervisors or officials and designated state or local services agencies, KCSO/KCJ policy prohibits staff from revealing 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. Jail policies 613.2, Training and Education/Employee Training, 613.5, Official Response Following Inmate Report, 613.7, Official Response Following Inmate report (covers both Sexual Abuse and Sexual Harassment), and 612.4, Reporting Sexual Abuse or Sexual Harassment, support this standard. Their policy states that sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law. Staff shall not reveal any information related to sexual abuse to anyone other than to the extent necessary as specified in KCJ policy, and to make treatment, investigation and other security and management decisions.</p> <p data-bbox="240 1176 1461 1234">Jail staff indicated that reports are confidential and reported to supervisors through the chain of command process and are shared on a need-to-know basis.</p> <p data-bbox="240 1267 1493 1794">(c) Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section, as well as to inform inmates of the practitioner's duty to report and the limitations of confidentiality at the initiation of services. KCSO/KCJ has established procedures and medical protocols that enforce this medical and mental health practitioner responsibility. 613.5/613.7, Official Response Following Inmate Report - Advanced Correctional Health Nursing Staff, 613.9, Medical and Mental Care/Medical and Mental Health Screening: History of Sexual Abuse, and 612.16, Examination, Testing, and Treatment. The health authority or mental health staff shall obtain informed consent from inmates before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the inmate is under the age of 18. Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions. Any information related to sexual victimization or abusiveness that occurred in a correctional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plan and security and management decisions, including housing, work, education, and program assignments, or as otherwise required by Federal, state or local law. The Jail Nurse shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in a correctional setting, unless the resident is under the age of 18.</p> <p data-bbox="240 1827 1469 2022">The auditor interviewed the medical and mental health staff. They confirmed that at the initiation of services to an inmate, they disclose the limitations of confidentiality and their duty to report. They are also required to report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to the designated supervisor immediately. In the 5 years working at the KCJ, the jail nurse has never become aware of such an incident, but said if she did she has been trained to report immediately as well as document. They are aware of the importance of confidentiality of sexual assault/harassment information.</p> <p data-bbox="240 2056 1453 2114">The auditor reviewed the medical staff's general PREA training as well as specialized training for this relative content and also the clinical assessment forms and secondary materials which specify data practices and informed consent.</p> <p data-bbox="240 2148 1437 2175">(d) Policies 612.7, Sexual Abuse and Sexual Harassment Investigations, 612.16, Examination, Testing, and Treatment,</p>

613.9, Medical and Mental Care/Medical and Mental Health Screening: History of Sexual Abuse, detail that If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the agency shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

The auditor further explored this requirement with the Jail Administrator and the PREA Coordinator. They are well aware of the special vulnerabilities of youthful inmates and designated vulnerable adults and their reporting to agency requirements. They would work with the investigators to ensure this process. They described their response when an allegation of sexual abuse/harassment is made by someone under the age of 18 or the vulnerable adult under state law. An investigation would be initiated, but parents/guardians would need to be informed as well as any relevant social service agencies. Special care would be provided to the vulnerable population with available advocacy and support programs.

(e) This standard requirement can be found in the following KCJ policies: 613.4, Reporting/Reporting of Sexual Abuse or Sexual Harassment - Third-Party Reporting, 613.7, Investigations, 612.4, Reporting Sexual Abuse or Sexual Harassment, and 612.7, Sexual Abuse and Sexual Harassment Investigations. The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators.

The Jail Administrator and investigators were interviewed relative to this standard and confirmed that all allegations of sexual abuse or sexual harassment, even third-party or anonymous reports, are referred for investigation.

The PREA auditor is confident that the KCJ and its staff are well aware of their reporting responsibilities through education and training they have received, and adhere to those respective policies and procedures.

115.62	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 432">Various jail policies include the inmate protection from substantial risk of imminent sexual abuse standard requirement: 516, Inmate Classification - 516.10, PREA Considerations, 613.4, Reporting - Reporting of Sexual Abuse or Sexual Harassment - Exhaustion of Administrative Remedies (for Emergency Grievances), 613.5, Official Response Following Report - Preservation of Ability to Protect Inmates from Contact with Abusers - Agency Protection Against Retaliation, 612.3, PREA Coordinator, and 612.9, Protective Custody.</p> <p data-bbox="240 465 1485 689">The auditor met with the Sheriff and Jail Administrator relative to this standard. The Sheriff described the protective actions the agency takes when they learn that an inmate is subject to a substantial risk of imminent sexual abuse. It is important to assure that there is no victimization and/or further victimization. There are many removal and separation options available in the jail. We discussed that risk management is one of the Sheriff's top priorities. The Jail Administrator detailed the ability to separate potential victims from abusers through the use of sub-dayrooms and the administrative segregation process. Frequent well-being checks would also be implemented. Both administrators described the importance of immediate actions to be taken for the inmate's safety.</p> <p data-bbox="240 723 1485 813">The Corrections Officers were also asked what actions they would take to keep the inmate safe from abuse. They articulated their separation tactics and their requirement to report and refer for investigation. They all said that they would provide immediate response.</p> <p data-bbox="240 846 1406 902">The auditor reviewed various classification documents and administrative segregation designations in support of this standard.</p>

115.63	<b>Reporting to other confinement facilities</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1458 430">(a) The KCSO/KCJ has a policy requiring that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of this facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. This facility to facility reporting standard can be found in policy 612.4.1, Reporting to Other Facilities, and 613.7, Official Response Following Inmate Report - Reporting to Other Confinement Facilities.</p> <p data-bbox="242 463 1469 589">In the past 12 months there were no allegations the facility received that an inmate was abused while confined at another facility. The PREA Coordinator shared that in 2019 they had one report on an outside agency. The auditor read the PREA incident report and case file and concluded the reporting requirements were met. The Jail Administrator and PREA Coordinator understand the requirements of this standard and the importance of facility or agency head communications.</p> <p data-bbox="242 620 1473 712">(b) The KCJ policy also details the standard requirement that the facility head provide such notification as soon as possible, but no later than 72 hours after receiving the allegation. This requirement is also found in policy 613.7, Official Response Following Inmate Report - Reporting to Other Confinement Facilities, and 612.4.1, Reporting to Other Facilities.</p> <p data-bbox="242 743 1225 770">The Jail Administrator and the PREA Coordinator acknowledged their swift reporting requirements.</p> <p data-bbox="242 801 1477 862">(c) The KCJ documents that it has provided such notification within 72 hours of receiving the allegation. Policy 612.4.1 and 613.7 also require the documentation of the 72-hour reporting to another facility.</p> <p data-bbox="242 893 1489 954">This was also verified by the Jail Administrator and PREA Coordinator along with a review of the 2019 PREA allegation. The allegation was reported and documented in a timely manner.</p> <p data-bbox="242 985 1492 1077">(d) Likewise, if the facility or agency office receives such notification, they ensure that the allegation is investigated in accordance with these standards. The same policies described above also require the investigation of an allegation received from another facility.</p> <p data-bbox="242 1108 1481 1368">The Sheriff and Jail Administrator were interviewed on this topic. The Sheriff said that the Sheriff or Jail Administrator is the designated point of contact for facility to facility sexual abuse allegations and that referrals will be made for the commencement of the investigation as soon as possible. The Sheriff described an allegation received from another agency of another nature (not PREA), which similarly was investigated to completion as required. The Jail Administrator informed the auditor that there have been no PREA incident allegations of another facility reporting such allegations, but they have followed through reversely upon a report from an inmate about another facility. He verified that if their jail were to receive an allegation from another facility that an incident of sexual abuse or sexual harassment occurred in the KCJ, they would definitely document and forward to the investigative team as soon as possible.</p>

115.64	<b>Staff first responder duties</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1490 600">(a) As demonstrated in policies 612.6, First Responders, 613.5, Official Response Following Inmate Report, and 613.6, Responsive Planning - Evidence Protocol and Forensic Medical Examination: Crime Scene Preservation, upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to: (1) Separate the alleged victim and abuser; (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, 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.</p> <p data-bbox="242 629 1474 689">Sexual Abuse Response Checklists for the Corrections Officers, Sergeant, and Health Services also ensure the appropriate procedures to take upon first learning of a sexual abuse.</p> <p data-bbox="242 719 1398 779">Training materials for first responder responsibilities were also reviewed by the auditor in support of this agency first responder policy for allegations of sexual abuse.</p> <p data-bbox="242 808 1094 837">In the past 12 months, there were no allegations that an inmate was sexually abused.</p> <p data-bbox="242 866 1481 1061">The auditor and assistant auditor interviewed security and non-security staff who would act as First Responders in the event of a sexual assault as well as a random sample of corrections officers. They described the actions they would take in response to an allegation of sexual abuse. Safety of the victim inmate was the priority and they explained the importance of separating the alleged victim and abuser and the preservation of the crime scene. If they are the first staff member to respond to the reported incident, they would preserve and protect any crime scene until appropriate steps can be taken to collect any evidence. They articulated ways to prevent the loss of physical evidence similar to the policy description above.</p> <p data-bbox="242 1126 1490 1254">(b) If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff. Policies 612.6, First Responders, 613.5, Official Response Following Inmate Report, and 613.6, Responsive Planning - Evidence Protocol and Forensic Medical Examination: Crime Scene Preservation, also address this substandard.</p> <p data-bbox="242 1283 1490 1344">First Responder and Medical/Mental Health Responder checklists serve as a step-by-step guide for the first responder acting in the moments following a PREA incident report to ensure appropriate response procedures.</p> <p data-bbox="242 1373 1477 1469">The training materials for non-security staff as First Responders were also reviewed. The curriculum enforced this standard requirement as per policy. The auditor particularly reviewed the medical protocols and specialized training materials which provided health services with direction when acting as a first responder for an alleged sexual abuse.</p> <p data-bbox="242 1498 1458 1559">Volunteers and contractors were questioned about their first responder responsibilities. They said that they would notify a corrections officer or sergeant right away and try to prevent any actions that could destroy physical evidence.</p>

115.65	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 453 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 499">The KCJ has policies and procedures in place to preserve the crime scene on any alleged sexual abuse. This includes contacting the agency Investigative Division to begin an investigation. KCJ has included in the procedures referral to a Sexual Assault Advocate. The agency shall coordinate actions taken in response to an incident of sexual abuse among staff, first responders, medical and mental health practitioners, investigators, and the PREA Coordinator. The following policies guide the team when responding to a PREA incident: 613.5, Official Response Following Inmate Report (abuse), 613.7, Official Response Following Inmate Report (harassment), 613.6, Responsive Planning - Evidence Protocol and Forensic Medical Examination: Crime Scene Preservation, and 612.3, PREA Coordinator.</p> <p data-bbox="240 528 1493 689">The policies specify what steps to follow to preserve the crime scene and the chain of evidence when an alleged act of a sexual nature has occurred. It is the PREA Coordinator's responsibility to develop a written plan to coordinate a response among staff first responders, medical and mental health practitioners, investigators, and facility management to an incident of sexual abuse. The plan must also outline the office's approach to identifying imminent sexual abuse toward inmates and preventing and detecting such incidents.</p> <p data-bbox="240 719 1465 947">The auditor reviewed the jail's policy and procedures, and the Sexual Abuse Response Checklist for Health Services, First Responders, and Sergeant, which ensure coordination efforts by all parties. The Jail Administrator and PREA Coordinator are in charge of making sure that the procedures are implemented for each and every report of sexual abuse. Facility training records were also reviewed. All personnel are educated on their specific roles and responsibilities as well as the requirements of other team members and the relationship with each staff designation. Medical and Investigator responsibilities are described in the training sessions. Everyone is instructed about the institutional plan to coordinate actions among all team members.</p> <p data-bbox="240 976 1437 1070">The Jail Administrator advises that the institutional plan is implemented through continuing training and education and a review of the related policies and procedures. Staff are instructed on the response checklists and their location for use. Response to allegations of sexual assault would indeed be coordinated.</p>

115.66	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 499">The KCSO and any other governmental entities responsible for collective bargaining on the agency's behalf are prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits 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. There are specific policies that address the preservation of the ability to protect inmates from contact with abusers and they are: 613.5, Official Response Following Inmate Report, 613.7, Official Response Following Inmate Report - Preservation of Ability to Protect Inmates from Contact with Abusers, and 612.14, Preservation of Ability to Protect Inmates.</p> <p data-bbox="240 533 1485 757">The auditor acquired a copy of the Labor Agreement between the County of Kanabec and Law Enforcement Labor Services, Inc. (LELS) (Local No. 107) effective January 1, 2022, through December 31, 2024. LELS recognizes the prerogative of the Employer to operate and manage all affairs of the Sheriff's Office in all respects in accordance to laws, regulations, and policies. The employer has the authority to hire, promote, transfer, assign, suspend, demote, or discharge from duty due to a lack of work or other legitimate reasons. There is a Discipline article within the agreement stating that the Employer will discipline employees for just cause only and discipline will be in the form of oral reprimand, written reprimand, suspension, and/or discharge.</p> <p data-bbox="240 790 1485 913">The Sheriff, who is the agency head, confirmed the existence of a contract since August 20, 2012, and described the current agreement. He affirmed that most definitely the agreement permits the Sheriff's Office to remove alleged staff sexual abusers from contact with any inmate pending an investigation or determination of whether and to what extent discipline is warranted. Most commonly, this would be referred to as Administrative Leave.</p>



115.67	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1461 465">(a) PREA Standard 115.67 requires the agency, being the KCSO, to establish 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, and shall designate which staff members or departments are charged with monitoring retaliation. The following policies have been established to address the Agency Protection Against Retaliation standard: 612.3, PREA Coordinator, 612.5, Retaliation, 612.5.1, Reports by Inmates, 613.5, Official Response Following Inmate Report, and 613.7, Official Response Following Inmate Report - Agency Protection Against Retaliation.</p> <p data-bbox="240 499 1441 589">The Jail Administrator is the designated staff member responsible for monitoring retaliation at the KCJ. The PREA Coordinator is responsible in establishing a process to monitor the conduct and treatment of detainees or staff who have reported sexual abuse and the conduct and treatment of detainees who were reported to have suffered sexual abuse.</p> <p data-bbox="240 622 1441 745">(b) These protection against retaliation policies describe how the jail shall 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.</p> <p data-bbox="240 779 1485 1171">The auditor spoke with the Sheriff, Jail Administrator, and designated staff member charged with monitoring retaliation in support of this policy and standard. The Sheriff assured the auditor that retaliation in any form is not tolerated at the KCSO/KCJ. He explained that there is a chain of command process to address these issues. They will make sure that inmates and staff are protected from retaliation for sexual abuse/harassment allegations. There are many options when removing or separating alleged abusers. There are emotional support services available as well. The Jail Administrator said that separation and follow-up are key when monitoring any retaliation issues. Options available to protect the inmate or staff include housing changes or transfers, removal of alleged abusers, and emotional support services. The Jail Administrator is also in charge of monitoring retaliation or assigning another supervisor for this duty. Proactive measures are taken at all costs to avoid retaliation situations. There are many measures you can take to protect those inmates and staff from retaliation and most commonly those actions are housing changes or transfers and removal of the alleged abusers. Contact would be initiated with inmates who have reported sexual abuse on an intermittent basis going forward and especially at the start of the investigation.</p> <p data-bbox="240 1205 1485 1361">The auditor was able to review administrative segregation and referral forms relative to special inmate management issues in support of this standard, but there were no inmates segregated due to reporting sexual abuse. Also reviewed was the Special Management Inmates Policy (510) which requires a 7-day status review process. The review should include information about these inmates to determine whether their status in administrative segregation and protective custody is still warranted. Electronically captured logs are maintained with descriptions of the reviews.</p> <p data-bbox="240 1395 1485 1686">(c) In accordance with part (c) of this standard, the KCJ Retaliation policy (612.5) directs the Jail Administrator or the authorized designee to assign a supervisor to monitor for at least 90 days the conduct and treatment of inmates or staff who report sexual abuse or sexual harassment, as well as inmates who were reported to have suffered sexual abuse, to determine if there is any possible retaliation. The supervisor shall act promptly to remedy any such retaliation. The assigned supervisor should consider inmate disciplinary reports, housing or program changes, negative staff performance reviews, or reassignment of staff members. Monitoring may continue beyond 90 days if needed. Inmate monitoring shall also include periodic status checks. The Jail Administrator should take reasonable steps to limit the number of people with access to the names of individuals being monitored and should make reasonable efforts to ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.</p> <p data-bbox="240 1720 1485 1977">The designated staff member charged with monitoring retaliation confirmed the 90 day and beyond observation and documentation period. They are on the lookout for any personality changes, changes in routine, or attitude. They also look to detect possible retaliation by monitoring inmate disciplinary reports, housing changes, or program changes. As far as staff-related detection of possible retaliation, they would look for negative performance reviews or reassignments of staff, all with periodic status checks. They have referral forms and administrative log capabilities for confidential notes in the electronic jail management system. The Jail Administrator also described similar measures they would take when retaliation is suspected. Separation is key and they would do everything they could to stop the actions. They would communicate with the Sheriff any staff retaliation issues.</p> <p data-bbox="240 2011 1425 2067">(d) The standard and jail policies described above also require, in the case of inmates, such monitoring to also include periodic status checks.</p> <p data-bbox="240 2101 1485 2157">The Jail Administrator/Designated staff member charged with monitoring retaliation verified that in the case of inmates, monitoring would include periodic status checks at least every 7 days. They would observe for any personality changes and</p>

changes in routine or attitude. There should be face-to-face inmate contact included in the review process. Part of the review process includes supervisory review of the jail logs with specific inmate entries and the program participation logs. The auditor reviewed a sample of these log entries which verified the practice of inmate monitoring in special management circumstances.

(e) Finally, if any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation as well. The KCJ enforces this standard through the same policies indicated above.

The Sheriff confirmed that if an individual who cooperates with an investigation expresses a fear of retaliation, the agency takes measures to protect that individual against retaliation. Acts of retaliation are not tolerated at the KCSO. There is a Code of Conduct acknowledged and signed by new employees which provide for 10 principles of ethical behaviors while employed at the KCSO. There is also an employee handbook for all of Kanabec County which also addresses ethics, appropriate behaviors, and workplace violence. Part of the supervisors' responsibility is to monitor for employee and inmate conduct. Any out-of-line actions or threats are addressed immediately through the employee coaching and/or corrective discipline process or the inmate disciplinary process. The PREA Coordinator provided the auditor with employee handbooks for review relative to this standard and employment with the KCSO.

There were no retaliation issues being monitored during this PREA audit process.

115.68	<b>Post-allegation protective custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1477 465">Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of § 115.43. The KCJ policies prohibit the placement of inmates who allege to have suffered sexual abuse in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there are no available alternative means of separation from likely abusers. Reference 613.5, Official Response Following Inmate Report, 613.7, Official Response Following Inmate Report - Post-Allegation Protective Custody, 612.9, Protective Custody (the 115.43 Standard), and 516.10, Classification and PREA Considerations.</p> <p data-bbox="240 499 1485 790">The auditor was informed by the PREA Coordinator and the Jail Administrator that there were 0 inmates who alleged to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment. Likewise, there were 0 inmates who alleged to have suffered sexual abuse who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement. The auditor was also assured that if inmates who allege to have suffered sexual abuse were to be held in involuntary segregated housing, case files would include both a statement of the basis for the facility's concern for the inmate's safety, and the reason or reasons why alternative means of separation could not be arranged. The jail has a solid design and structure with sub-dayrooms available and with sufficient staffing for the separation, supervision, and management of inmates under administrative segregation situations.</p> <p data-bbox="240 824 1493 1081">The KCJ Classification Policy for PREA Considerations informs that housing, bed, work, and program assignments should be made to separate inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. Inmates identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other inmates and staff. All inmates identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has been determined that there are no available alternative means of separation from likely abusers. There are single occupancy cells available for administrative segregation or sexual predators.</p> <p data-bbox="240 1115 1449 1205">If an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population as per policy 612.9, Protective Custody.</p> <p data-bbox="240 1238 1481 1395">The auditor was allowed access to spot check records and documentation of housing assignments of inmates, and there were no inmates who alleged to have suffered sexual abuse in custody. The auditor also reviewed the program schedule and documentation of in-cell and out-of-cell programs, privileges, education, and work opportunities for inmates in segregated housing for this purpose. The Program Coordinator also informed the auditor that if the facility restricts access to programs, privileges, education, or work opportunities, there is documentation of:</p> <ul data-bbox="240 1429 667 1574" style="list-style-type: none"> <li>• The opportunities that have been limited;</li> <li>• The duration of the limitations; and</li> <li>• The reasons for such limitations.</li> </ul> <p data-bbox="240 1608 1481 1697">It was also noted that due to the Covid-19 pandemic, programming and work opportunities have been very restrictive with adaptive Zoom and remote programs taking place in lieu of incoming volunteer program personnel. The library and gym are still available for use by the inmates. Court also takes place remotely within the jail library.</p> <p data-bbox="240 1731 1422 1787">Records for length of placement in segregated housing for those who alleged to have suffered sexual abuse were also studied to verify that:</p> <ul data-bbox="240 1821 1477 2000" style="list-style-type: none"> <li>• Inmates are placed in involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged; and</li> <li>• Inmates are placed in involuntary segregated housing for a period that does not ordinarily exceed 30 days. There were no case files of inmates who alleged to have suffered sexual abuse held in involuntary segregated housing in the past 12 months because there were 0 inmate allegations of sexual abuse at the KCJ.</li> </ul> <p data-bbox="240 2033 1481 2157">The Jail Administrator confirmed that all aspects of the post-allegation protective custody standard are met at the KCJ. He verified that they have policies in place which prohibit placing inmates at high risk or who have alleged sexual abuse in involuntary segregated housing in lieu of other housing areas, unless an assessment has determined there are no available alternative means of separation from potential abusers. They have not had any substantiated or unsubstantiated allegations</p>

of sexual abuse at their facility. In 2019, there was 1 inmate-on-inmate sexual abuse allegation and 2 staff-on-inmate allegations and all were unfounded. He informed the auditor that due to the design of their physical plant and sufficient staffing, they have separation of alleged abusers and victims capabilities with three sub-dayrooms for administrative segregation. There are obviously separations during the investigation process as well. They maintain operational capacity or less for classification and housing purposes. If inmates are ever placed in involuntary segregated housing for protective reasons, it is very temporary until alternative housing can be met. Although there have been no circumstances in the past 12 months in which segregated housing was used to protect an inmate alleged to have suffered sexual abuse, the Jail Administrator did recall a past incident when they moved one inmate from one housing unit to another due to an initial allegation of abuse by another inmate. Mental health services were offered in that situation.

The assistant auditor also interviewed staff who supervise inmates in segregated housing for various reasons, not just PREA. They informed the auditor that when inmates are placed in segregated housing for protection from sexual abuse or after having alleged sexual abuse, they would still have access to programming. They work around the schedule and any lock down status to provide the same programming as other inmates and there are no limitations. If the facility restricted access to programs, privileges, education, or work opportunities, the facility would document the reasons why. They could recall one time when program opportunities for an inmate were restricted for safety and security reasons and not related to PREA.

The staff who supervise inmate segregation units also advised that inmates would be placed in involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and that it would be very temporary, usually within 24 hours, until a safe place is available. Status reviews are conducted at least weekly and every 30 days going forward.

Although there were no inmates in involuntary segregated housing for PREA reasons at the time of the on-site audit, the assistant auditor interviewed new inmates who were under quarantine for Covid-19 precautions. They were asked if they felt safe and they responded affirmatively. They were complimentary of the jail staff. Having recently arrived at the jail and while in segregated housing, they were unsure if they are going to be able to participate in out-of-cell programs and other privileges.

The KCSO/KCJ substantially complies in all material ways with the post-allegation protective custody standard for the relevant review period.

115.71	<b>Criminal and administrative agency investigations</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1474 362">(a) As demonstrated by KCSO policies 613.7, Investigations - Criminal and Administrative Investigations, and 612.2, Policy, the office will act promptly and thoroughly to investigate all allegations of sexual abuse. Allegations of sexual abuse will be referred to agency investigators and will be investigated in an objective manner.</p> <p data-bbox="240 398 1489 591">The auditor met with two PREA investigators of the KCSO during the on-site audit process. They explained the process to initiate an investigation and explained that they are on call to receive complaints 24/7. They would also respond immediately to the jail. In describing the investigation process, they said that anonymous and third-party reports of sexual abuse or sexual harassment are taken very seriously and are investigated in the same manner. The auditor was able to review a sample of investigative records/reports for allegations of sexual abuse or sexual harassment which confirmed a timely, thorough, and objective investigative process.</p> <p data-bbox="240 622 900 680">The investigation and reporting policy is also available on the KCJ website: <a href="https://www.kanabecounty.org/departments/jail.php">https://www.kanabecounty.org/departments/jail.php</a>.</p> <p data-bbox="240 712 1457 801">(b) Where sexual abuse is alleged, the agency shall use investigators who have received special training in sexual abuse investigations pursuant to § 115.34. Policies 612.7, Sexual Abuse and Sexual Harassment Investigations, and 613.7, Investigations, require the same.</p> <p data-bbox="240 833 1437 922">The investigators verified that they have received training specific to conducting sexual abuse investigations within confinement settings in addition to their law enforcement education and training. The PREA investigative training topics included:</p> <ul data-bbox="240 958 1235 1160" style="list-style-type: none"> <li>* Techniques for interviewing sexual abuse victims;</li> <li>* Proper use of Miranda and Garrity warnings;</li> <li>* Sexual abuse evidence collection in confinement settings; and</li> <li>* The criteria and evidence required to substantiate a case for administrative or prosecution referral.</li> </ul> <p data-bbox="240 1191 1465 1384">The auditor received and reviewed a copy of the investigator training records and logs including the PREA specialized investigator training. The investigators described their initial training and continuing education to keep current. The most recent training certificate reviewed was from the National Institute of Corrections' (NIC) 3-hour courses for PREA: Investigating Sexual Abuse in a Confinement Setting and the Advanced Investigations Course on 05/01/2020. The auditor also recently accomplished this course for a better understanding of the training requirements and investigator responsibilities.</p> <p data-bbox="240 1415 1485 1572">(c) Agency policy requires investigators to gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data, to interview alleged victims, suspected perpetrators, and witnesses, and to review prior reports and complaints of sexual abuse involving the suspected perpetrator as part of the PREA investigation process. Policies 613.7, Investigations, and 612.7, Sexual Abuse and Sexual Harassment Investigations, require this uniform evidence protocol.</p> <p data-bbox="240 1603 1497 1765">The investigators were asked to describe any direct and circumstantial evidence they would be responsible for gathering in an investigation of an incident of sexual abuse. They described that they would gather physical and DNA evidence, electronic monitoring data, what the interview process with suspects, victims, and witnesses would entail, and historical complaints and reports of sexual abuse. The auditor reviewed Investigative reports, records retained, and copies of case records detailing allegations of abuse in support of this standard requirement.</p> <p data-bbox="240 1796 1481 1886">(d) KCSO Investigators have been trained in the proper use of Miranda Warnings and when the quality of evidence appears to support criminal prosecution, compelled interviews may be conducted. If there are any issues, prosecutors are consulted for direction. The investigators and the auditor discussed the compelled interview process.</p> <p data-bbox="240 1917 1481 2011">Both the United States and Minnesota Constitutions protect individuals from compelled self-incrimination – statements made by a suspect during a custodial interrogation. These statements can only be used as evidence against an individual if they were preceded by a Miranda warning from police. The standard Miranda warning reads:</p> <p data-bbox="240 2042 1481 2136">“You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you cannot afford an attorney, one will be provided for you. Do you understand the rights I have just read to you? With these rights in mind, do you wish to speak to me?”</p>

The auditor reviewed a sample of some recent and older PREA incident reports and verified the interview process as part of the investigation. Reference policies 612.7 and 613.7.

(e) 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. No agency shall 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. These requirements can also be found in the same agency policies of 612.7 and 613.7.

The investigators said that they do not judge the credibility of an alleged victim, suspect, or witness, but investigate regardless based on facts and evidence. They never require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device.

(f) According to agency protocols, and again found in policies 612.7 and 613.7, administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse. Administrative investigations are always 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.

This was verified by the investigators as interviewed. The investigators informed the auditor that they are required to investigate "anything and everything." If that includes failures or negligence on the part of jail staff, they are mandated to include this as a part of their thorough investigation findings. They explained that administrative investigations are also documented in a written report through their record management system. They said that this is an absolute. The auditor read a sample of the PREA incident Administrative investigative reports relative to this standard.

(g) Criminal investigations shall 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. The same investigative policies as referenced above also mandate this standard requirement.

The auditor asked the investigators if criminal investigations are documented. They responded affirmatively and described what is contained in the reports. Reports include thorough descriptions of physical, testimonial, and documentary evidence, as well as attached copies of documentary evidence. Video recording files are an example of a report attachment. A review of a sample of written criminal investigations verified the complete and detailed investigations of sexual abuse allegations.

(h) All substantiated allegations of conduct that appears to be criminal are referred for prosecution. According to policy 612.7 and 613.7, If criminal acts are identified as a result of the investigation, the case shall be presented to the prosecutor's office for filing of new charges. Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution. The Kanabec County Attorney's Office will determine prosecution based upon filing of criminal charges.

The investigators explained the referral for prosecution process to the auditor. They said that when there are substantiated allegations of conduct that appear to be criminal, cases are referred to the County Attorney's Office for prosecution. They described the chain of command process within their office for case file review. The auditor again reviewed a sample of criminal and administrative investigation reports. The auditor did not find any criminal reports for referral for prosecution that had been substantiated. The auditor also conducted an online search with negative results.

(i) The agency retains all written reports pertaining to the administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. This is also in accordance to policies 612.7 and 613.7.

At the time of the on-site audit, the auditor asked for and received copies of older PREA incident reports for review. The PREA Coordinator informed the auditor that all PREA related incident reports and records are securely maintained indefinitely, and according to the data practices and retention schedule of the state of Minnesota, and according to this PREA standard.

(j) KCJ Policy 613.7 states that in the event a victim or abuser leaves the KCJ, an active investigation shall not be terminated as per the PREA Standard in that the departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.

The investigators described to the auditor how they would proceed if a staff member alleged to have committed sexual abuse terminates employment prior to a completed investigation into his/her conduct. Likewise, how they would proceed when a victim who alleges sexual abuse or sexual harassment or an alleged abuser leaves the facility prior to a completed investigation into the incident. The investigation would move forward just the same and the parties would be tracked down outside of the facility. The PREA Coordinator informed the auditor of the same.

(k) N/A

(l) When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation. Agency Policy 612.2, PREA Coordinator, ensures the protocol

describing the responsibilities of the Office and of another investigating agency, if another law enforcement agency will be responsible for conducting any sexual abuse or sexual harassment investigations. Policy 613.7, Criminal and Administrative Investigations, states that allegations of sexual abuse will be referred and investigated by agency Investigations and if it involves a staff member an outside agency will conduct a prompt, thorough, and objective investigation. Allegations of sexual harassment by staff, contractors or volunteers will be referred to an outside agency for an investigation. If the KCSO does not conduct the investigation, it shall request the relevant information from the investigating agency in order to inform the inmate.

The KCSO also maintains current MOU's with neighboring county Sheriff's Offices and in the event of a conflict of interest sexual abuse investigation, their investigative services are requested and agreed upon. The auditor reviewed the agreements that spell out the obligations and cooperation of the partners, including the updating of investigation information.

The auditor verified with key administrators, supervisors, and investigators that this standard is adhered to. The Jail Administrator said that if an outside agency investigates allegations of sexual abuse, the facility remains informed of the progress of the sexual abuse investigation through the appropriate channels and communications between agencies. This is between investigators and administrators for the integrity of the investigation. The PREA Coordinator also verified that they remain informed of the progress of the investigation through appropriate communications and assist and coordinate as needed. The investigators described the role they play when an outside agency investigates an incident of sexual abuse in this facility. They would provide information and evidence when requested as well as coordinate any witnesses, but primarily this would be an administrative role of the Sheriff, Chief Deputy, and Jail Administrator.

The KCSO complies in all material ways and with all the subdivisions of this Criminal and Administrative Agency Investigations PREA Standard as detailed.

115.72	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="231 197 1508 253"><b>Auditor Discussion</b></p> <p data-bbox="231 253 1508 510">Policies 612.7.1, Investigative Findings, and 613.7, Investigations, ensure that the KCSO shall impose no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse and/or sexual harassment are substantiated. Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution. The Kanabec County Attorney's Office will determine prosecution based upon filing of criminal charges. All completed written investigations are forwarded to the Jail Administrator or, if the allegations may reasonably involve the Jail Administrator, to the Sheriff. The Jail Administrator or Sheriff shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence.</p> <p data-bbox="231 510 1508 656">The investigators verified 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. They explained that they gather the information and are fact finders, then forward their investigative results to Administration and then to the County Attorney to review for potential charging.</p> <p data-bbox="231 656 1508 801">Preponderance of the evidence is one type of evidentiary standard used in a burden of proof analysis. Under the preponderance standard, the burden of proof is met when the party with the burden convinces the fact finder that there is a greater than 50% chance that the claim is true.</p> <p data-bbox="231 801 1508 880">The auditor also reviewed a sample of PREA investigation reports and verified that the standard of proof was no greater than preponderance of the evidence. Investigative findings are signified as substantiated, unsubstantiated, or unfounded.</p> <p data-bbox="231 880 1508 925">The PREA National Resource Center provides the following definitions:</p> <ul data-bbox="231 925 1508 1104" style="list-style-type: none"> <li>• Substantiated Allegation: Allegation that was investigated and determined to have occurred;</li> <li>• Unfounded Allegation: Allegation that was investigated and determined not to have occurred; and</li> <li>• Unsubstantiated Allegation: Allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.</li> </ul>



<b>115.73</b>	<b>Reporting to inmates</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>(a) Following an investigation into an inmate's allegation that he or she suffered sexual abuse at the KCJ, the agency informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This is mandated as per policy 612.7.2, Reporting to Inmates, and 613.7, Investigations - Reporting to Inmates.</p> <p>There were 0 criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility in the past 12 months, but the auditor reviewed a sample of older sexual abuse allegation investigations and found documentation as to the reporting to inmate requirement.</p> <p>The auditor also verified with the Jail Administrator that the facility notifies an inmate who makes an allegation of sexual abuse of the investigative findings and determination. The investigators also confirmed that they coordinate with the Jail Administrator and PREA Coordinator for the inmate reporting requirement.</p> <p>(b) If the agency did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate. This requirement is also indicated in policies 612.7.2 and 613.7.</p> <p>There were 0 investigations of alleged inmate sexual abuse in the facility that were completed by an outside agency in the past 12 months, but if this is ever the case, the auditor was informed that it would request the relevant information from the investigating agency in order to inform the inmate. This was verified by the PREA Coordinator.</p> <p>(c) Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever: (1) The staff member is no longer posted within the inmate's unit; (2) The staff member is no longer employed at the facility; (3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or (4) The agency learns that the staff member has been convicted of a charge related to sexual abuse within the facility. The list of requirements is contained in the same investigation and reporting policies as referenced above.</p> <p>There were 0 allegations of staff on inmate sexual abuse in the past 12 months. There was no inmate who had reported a sexual abuse to interview. The PREA Coordinator informed the auditor that they are prepared to meet the reporting requirements as specified in their policies in the event of an allegation of sexual abuse by an inmate and subsequent investigation with findings.</p> <p>(d) Likewise, following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever: (1) The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or (2) The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. The KCJ Reporting to Inmates policies also require that inmate-on-inmate sexual abuse investigation findings are reported to inmates.</p> <p>The auditor reviewed a sample of older investigation files and found evidence of reporting to inmates.</p> <p>(e) According to KCJ policy 612.7.2, Reporting to inmates, all notifications or attempted notifications shall be documented. When notification is made while the inmate is in custody, the inmate will sign a copy of the notification letter. The letter will be added to the case file.</p> <p>The auditor reviewed the older investigative records for signatures in compliance of this standard.</p> <p>The KCSO substantially complies in all material ways with all the provisions of the Reporting to Inmates PREA Standard. The evidence provided and analyzed by the auditor include jail policies and procedures, investigative files with documentation of notifications, and interview responses from investigators, the Jail Administrator, and the PREA Coordinator.</p>

115.76	<b>Disciplinary sanctions for staff</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1490 365">(a) Staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. This PREA standard can be found in KCJ policies 612.7.1, Investigative Findings, and 613.8, Discipline - Disciplinary Sanctions for Staff.</p> <p data-bbox="240 396 1477 555">Staff are provided initial PREA orientation and continuing education regarding the zero tolerance stance the KCSO takes against sexual abuse and sexual harassment in their facility. Corrections Officers are required to read and review the jail policies and procedures and understand the anticipated discipline for any sexual misconduct up to and including termination and potential criminal charges. Interviews with staff indicated an understanding of this premise. The auditor reviewed the PREA training material in support of this standard.</p> <p data-bbox="240 586 1402 647">(b) The same policies state that termination shall be the presumptive disciplinary sanction for staff member who has engaged in sexual abuse, which is a requirement of this standard.</p> <p data-bbox="240 678 1481 938">In the past 12 months, 0 staff have violated agency sexual abuse or sexual harassment policies. The auditor was informed that there have been 0 staff who have violated agency sexual abuse or sexual harassment policies historically. The auditor read the PREA incident reports that were provided since the last audit, as well as a sample of older records. The auditor did not discover any security staff allegations or terminations or other sanctions. The auditor requested a copy of the union contract for review. The Labor Agreement between the County of Kanabec of the State of Minnesota and Law Enforcement Labor Services, Inc. was effective 01/22/2022. The agreement provides the employer with the authority to discipline or discharge from duty for legitimate reasons. The employer will discipline employees for just cause in the form of oral reprimand, written reprimand, suspension, and discharge. This was verified by the Sheriff and Jail Administrator.</p> <p data-bbox="240 969 1474 1128">(c) Additionally, the disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. This statement can also be found in policies 613.8, Discipline - Disciplinary Sanctions for Staff, as well as the 612.7.1, Investigative Findings.</p> <p data-bbox="240 1160 1461 1321">(d) In the event that a staff member is terminated for violations of sexual abuse or harassment policies, or a resignation by staff who would have been terminated if not for their resignation, a report shall be made to the law enforcement agency that would handle any related investigation and to any relevant licensing bodies. Because there have been no staff sexual misconduct cases, there have been no reports to law enforcement for violations of agency sexual abuse or sexual harassment policies. This standard requirement is also detailed in policy 612.7.1.</p> <p data-bbox="240 1352 1453 1379">For the reasons described above, the KCJ substantially complies with the Disciplinary Sanctions for Staff PREA standard.</p>

115.77	<b>Corrective action for contractors and volunteers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1477 432">(a) Agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant licensing bodies. Agency policy also requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with inmates. These mandates can be found in policy 613.8, Discipline - Corrective Action for Contractors and Volunteers, and 612.8.1, Sexual Abuse by Contractor or Volunteer.</p> <p data-bbox="242 463 1441 589">In the past 12 months, there were 0 contractors or volunteers who have been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates. In the past 12 months, there were 0 contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates. There were 0 allegations of sexual misconduct against contractors or volunteers since the last audit.</p> <p data-bbox="242 620 1468 712">The auditor was provided with an older PREA incident investigation of a sexual harassment nature against a program volunteer who was dealt with swiftly, appropriately, and was not allowed further contact with inmates. His access to the jail was denied.</p> <p data-bbox="242 743 1489 869">The Jail Programmer and PREA Coordinator oversee PREA orientation and continuing education for contractors and volunteers. Contractors and volunteers are informed of the KCJ being a zero tolerance facility and the penalties and potential criminal charges for sexual misconduct with inmates. Consent is not a defense. The auditor reviewed the volunteer and contractor handbooks and training records in confirmation of this training.</p> <p data-bbox="242 900 1477 992">(b) Policy 613.8, Discipline - Corrective Action for Contractor or Volunteer, addresses this standard provision. The facility takes appropriate remedial measures and considers whether to prohibit further contact with inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p data-bbox="242 1023 1469 1115">In speaking with the Jail Administrator, he described that they err on the side of caution and prohibit no further contact with inmates in the case of a violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. Their services would be discontinued. Remedial measures would be considered if the incident is not criminal in nature.</p>

115.78	<b>Disciplinary sanctions for inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

(a) Policy 613.8, Discipline - Disciplinary Sanctions for Inmates, details the disciplinary process for inmates for sexual abuse/harassment incidents. Inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse. Inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. The auditor also reviewed Policy 600 which addresses Inmate Discipline and 600.7 which describes the Limitations On Disciplinary Actions.

The KCJ prohibits all sexual activity between inmates. The KCJ Inmate Handbook notifies inmates of this rule.

In the past 12 months, there were 0 administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility. In the past 12 months, there were 0 criminal findings of guilt for inmate-on-inmate sexual abuse that occurred at the facility.

(b) Policy 613.8 also requires that any disciplinary sanction shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates.

The Jail Administrator described the disciplinary sanctions that inmates are subject to following an administrative or criminal finding that the inmate engaged in inmate-on-inmate sexual abuse and affirmed that sanctions are proportionate to the nature and circumstances of the abuses committed, the inmates' disciplinary histories, and the sanctions imposed for similar offenses by other inmates with similar histories. Disciplinary options include lockdown, loss of privileges, and loss of good time. Criminal charges will be addressed through the court system.

(c) The disciplinary process should consider the inmate's mental disabilities or mental illness in determining the type of sanction imposed. This is described in Policy 613.8. Additional information is found in the Inmate Discipline Policy 600.6.1, Disciplinary Decisions, and states that the disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to the inmate's behavior when determining what type of discipline, if any, should be imposed.

The auditor continued discussions with the Jail Administrator in this regard. He corroborated the policy procedures and explained that an inmate's mental health status is definitely considered when determining sanctions. He described the medical and mental health practitioner's involvement in addition to any sanction imposed.

(d) According to the Medical Health Staff and the PREA Coordinator, the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse. The auditor was informed that the services provided are strictly voluntary, but encouraged. The jail does not require an inmate's participation as a condition of access to programming or other benefits. Policy 613.8 states that disciplinary sanctions may involve referral to the mental health clinician for therapy sessions and 613.9 also describes the follow-up meeting with a mental health clinician within 14 days of the intake screening for perpetrators. The auditor also reviewed the Advanced Correctional Health protocols and secondary materials in support of this standard.

A review of positive risk screening and older PREA incident reports were indicative of medical and mental health referrals relative to this standard.

(e) This subdivision of the Disciplinary Sanctions for Inmates standard mandates that the agency may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. This is also supported in accordance with policy 600.7, Limitations on Disciplinary Actions, which states that no discipline may be imposed for sexual contact with staff unless there is a finding that the staff member did not consent to such contact.

The auditor did not find additional records of disciplinary actions against inmates for sexual conduct with staff. The auditor was informed by the Jail Administrator and the PREA Coordinator that there have been no staff sexual misconduct allegations at the jail.

(f) The KCSO/KCJ prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation. This subdivision standard is addressed in policy 600.7, Limitations on Disciplinary Actions.

The good faith standard was discussed and verified with the Jail Administrator and PREA Coordinator.

(g) The KCJ prohibits all sexual activity between inmates. The inmates are informed of the rules contained within the Inmate Handbook and advised via the Inmate Orientation video. Policy 600.7 informs that discipline may be imposed for sexual activity between inmates, however, such activity shall not be considered sexual abuse for purposes of discipline unless the activity was coerced. This was verified by the PREA Coordinator and the Jail Administrator. The Jail Programmer provided the auditor with a copy of their facility Orientation/PREA Orientation video for review in support of this standard.

115.81	<b>Medical and mental health screenings; history of sexual abuse</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<p data-bbox="242 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1490 365">(a) and (c) All inmates at the KCJ who have disclosed any prior sexual victimization during a screening pursuant to § 115.41 are offered a follow-up meeting with a medical or mental health practitioner well within the PREA standard 14-day timeline requirement.</p> <p data-bbox="242 398 1490 790">The KCJ policy 613.9, Medical and Mental Care - Medical and Mental Health Screening: History of Sexual Abuse, covers this PREA Standard requirement. The policy states: If the intake screening pursuant to 28 C.F.R. Part 115, 115.34 and 115.381 indicates that an inmate has experienced prior sexual victimization, whether it occurred in a correctional 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 screening. Policy 726.4, Mental Health Appraisal, also addresses this standard. All new inmates shall receive a mental health appraisal by a qualified health professional within 14 days unless documentation exists that an appraisal has been completed within the previous 90 days. Mental health appraisals should include sexual abuse victimization. Following the appraisal, the qualified health professional shall refer to the mental health professional and physician to develop a treatment plan for the inmate and make recommendations regarding the inmate's housing, job assignment, and program participation. Policy 726.5 further addresses that qualified mental health staff should administer a complete and thorough evaluation of inmates referred for treatment as soon as practicable but no later than 14 days from the referral. The evaluation should include a review of the inmate's screening and appraisal information.</p> <p data-bbox="242 824 1490 1149">The auditor was advised by the PREA Coordinator and Medical and Mental Health practitioners that follow-up care is provided every Monday, so less than 7 days from any reporting date. The jail nurse works full time and the mental health practitioner works 4 hours on-site on Mondays also. The assistant auditor interviewed a staff member who was responsible for the risk screening. They confirmed that If the screening indicates that an inmate has experienced prior sexual victimization, whether in an institutional setting or in the community, they are offered a follow-up meeting with a medical and/or mental health practitioner. As needed, they are also offered a victim advocate and potentially an investigator. They further explained that the jail medical staff are available Monday through Friday during business hours and the Mental Health Practitioner is available every Monday for follow-up care, well within the 14 day standard requirement. New inmates automatically are put on the list and are actually seen twice. Any "yes" answer on the questionnaire results in an automatic placement on the mental health list for follow-up.</p> <p data-bbox="242 1182 1490 1473">The auditor was provided with numerous medical and mental health clinical assessment documents and secondary materials in support of this standard. The Medical History and Health Appraisal form in particular guides the jail nurse through a brief repeat of the PREA Risk Screening Assessment for a higher risk of victimization or assault determinations. Gender identity is also noted. The auditor met with the jail RN in the medical unit during the on-site audit and was able to review completed assessment records. I was informed by the PREA Coordinator and the jail nurse that 100% of inmates who experienced prior sexual victimization according to the risk screening results were referred for a follow-up with medical/mental health staff for an assessment well within the 14 day timeline requirement. They explained the procedure to ensure the necessary clinical follow up. The auditor conducted a spot check of positive inmate referrals which guaranteed medical and/or mental health follow-up care in less than 7 days.</p> <p data-bbox="242 1507 1490 1865">(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, staff shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening. Although this standard is N/A for a jail, the facility nonetheless offers the high risk inmate a follow-up meeting with the mental health practitioner within 14 days. This was verified by the PREA Coordinator and the Jail Nurse and supported by a review of the related policies (613.9) and clinical documents. If the screening pursuant to 28 C.F.R. Part 115.341 indicates that an inmate has previously perpetrated sexual abuse, whether it occurred in a correctional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a mental health clinician within 14 days of the intake screening. <i>See also</i> policy 726.4: All new inmates shall receive a mental health appraisal by a qualified health professional within 14 days unless documentation exists that an appraisal has been completed within the previous 90 days. Mental health appraisals should include predatory behavior or perpetrated sexual abuse.</p> <p data-bbox="242 1899 1490 2123">(d) Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law (policy 613.9). The Examination, Testing, and Treatment Policy (612.16) also requires that medical and mental health practitioners ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions.</p>

During the PREA site audit, the auditor made observations and asked questions per the tour instructions about who had access to the risk screening information and previous victimization or abusiveness of inmates. The jail nurse and the PREA Coordinator confirmed that PREA information is not a part of the inmate custodial records and is known to the Risk Screening Officer, supervisors, and medical and mental health staff upon referral. Jail supervisors need to know for classification and program purposes. The auditor conducted a spot check between the medical unit and the central control area where inmate files are stored for the separation of custodial records from PREA records. The auditor was also allowed viewing access to the jail management system, electronic medical files, and hard copy files, which supported this standard.

(e) The Jail Nurse shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in a correctional setting, unless the resident is under the age of 18 as per policy 613.9 and 612.16. This is the PREA standard requirement. The KCJ maintains an Informed Consent and Right to Refuse Medical Care policy (762). It is the policy of the office that, generally, all health care examinations, treatments and procedures be conducted with the informed consent of the inmate.

The auditor reviewed the Authorization for Disclosure of Data and Data Practices Rights Advisory form as well as the Medical History and Health Appraisal form with informed consent acknowledgements and patient/inmate signatures relative to this informed consent standard. Initially, and during the booking process, inmates are read the Tennessee Warning which advises the inmate that they will be required to answer questions about the condition of their health and the information may be used by the KCSO and shared with medical service providers for treatment purposes.

The auditor formally interviewed the jail nurse and the mental health practitioner who verified that informed consent is discussed and obtained from inmates before reporting about prior sexual victimization that did not occur in an institutional setting. They would be mandated to report any assault that occurred within the facility. They do not work with the juvenile population.

The KCJ substantially exceeds the requirements of this standard in that follow-up referrals with Medical and/or Mental Health Services happen within days of a positive Risk Screening above the 14-day timeline requirement, and the fact that the jail also offers follow-up health assessment for inmates who have previously perpetrated sexual abuse, whether it occurred in a correctional setting or in the community, and staff shall ensure that the inmate is offered a follow-up meeting with a mental health clinician within 14 days of the intake screening. Following the appraisal, the qualified health professional shall refer to the mental health professional and physician to develop a treatment plan for the inmate and make recommendations regarding the inmate's housing, job assignment and program participation.

115.82	<b>Access to emergency medical and mental health services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 465">(a) The PREA Standards mandate access to emergency medical and mental health services. Inmate victims of sexual abuse shall 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. There are many jail policies that address access to emergency health care services: 613.6, Responsive Planning - Evidence Protocol and Forensic Medical Examination: Crime Scene Preservation, 612.15, Sexual Abuse Victims, 612.16, Examination, Testing, and 708, Emergency Health Care Services.</p> <p data-bbox="240 499 1453 622">The purpose of the policies are establishing plans and procedures for responding to medical emergencies. Emergency medical, mental health, and dental services are available 24 hours a day. These services may include off-site health care services at the local hospital, Welia Health. See <a href="https://www.weliahealth.org/locations/mora-hospital/">https://www.weliahealth.org/locations/mora-hospital/</a>.</p> <p data-bbox="240 656 1485 981">Medical and mental health staff maintain secondary materials documenting the timeliness of emergency medical treatment and crisis intervention services that were provided, the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported, and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis. The auditor received and reviewed various forms and clinical materials in support of this standard including the Mental Health Screening Interview, Medical History and Health Appraisal, the Narrative Progress Report, the Behavioral Health Services Clinical Contact, the Referral Form: Allegations of previous sexual victimization, Pregnancy Consent or Denial form, and the Health Services - Sexual Abuse Response Checklist. The auditor conducted a spot-check on forms that had been completed in support of this standard. The auditor had access to sample the medical files. The auditor was provided with the necessary information from the jail nurse at the time of the facility tour in the medical unit for material compliance.</p> <p data-bbox="240 1014 1485 1137">Upon further inspection of the medical unit, the auditor observed medical and emergency equipment and supplies typically found in a hospital or clinic. The auditor noted masks, gloves, first-aid kits, AED, examination table, and other miscellaneous health-related items. Medical staff and jail staff receive on-going training in the administration of first aid and CPR certification.</p> <p data-bbox="240 1171 1485 1395">The auditor formally interviewed the jail nurse and the mental health practitioner of the KCJ. They both confirmed that inmate victims of sexual abuse would receive timely and unimpeded access to emergency medical treatment and crisis intervention services. They said that transportation arrangements would be arranged by the KCSO/KCJ, and were aware of the Pathways outside victim advocacy and support services available for inmates. They have their contact information and have referred inmates in the past for cases of previous victimization. Emergency services are provided immediately and as soon as feasible. In addition to ACH protocols, education, and training, the nature and scope of services are determined according to their professional judgement.</p> <p data-bbox="240 1429 1485 1552">(b) Policies 612.6, First Responders, and 613.6, Responsive Planning: Evidence Protocol and Forensic Medical Examination: Crime Scene Preservation, provide if no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical and mental health practitioners.</p> <p data-bbox="240 1585 1477 1742">The jail sergeant on duty is required to notify health services of the incident. If health services is not on grounds and if an incident occurred within past 96 hours, they are instructed to call the designated health care facility to alert them to potential need for a sexual assault examination and to arrange for transport of the victim to the sexual assault examination. Then, they notify mental health staff of the incident. These directives are included in the Sergeant - Sexual Abuse Response Checklist.</p> <p data-bbox="240 1776 1437 1865">Security staff and non-security staff described the actions they would take as a first responder to an allegation of sexual abuse. They said they would notify medical and mental health staff as soon as possible. The auditor reviewed the First Responder checklists relative to this standard.</p> <p data-bbox="240 1899 1469 2000">(c) Inmate victims of sexual abuse while incarcerated are 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 and according to KCJ policy 612.16.</p> <p data-bbox="240 2033 1453 2157">The jail nurse verified that victims of sexual abuse would be offered timely information about access to emergency contraception and sexually transmitted infection prophylaxis. Welia Hospital is only a mile away and they would follow all discharge instructions and coordinate any prescriptions as necessary. There were no inmates who had reported a sexual abuse to interview.</p>



(d) KCJ policies 613.6 and 612.16 state that treatment 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 PREA Coordinator and Jail Administrator confirmed that treatment services related to a PREA incident are provided at no charge to victims.

The inmates of the KCJ are provided access to emergency medical and mental health services while incarcerated. Medical and mental health services specific to PREA are also provided to all inmates.

115.83	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1481 566">(a) The KCJ offers 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. Policy 612.6 Examination, Testing, and Treatment, describes the emergency treatment necessary for sexual abuse victims as well as the ongoing medical and mental health care that is to be provided. Inmates who are victims of sexual abuse shall be transported to the nearest appropriate location for treatment of injuries, collection of evidence, and for crisis intervention services. Policy 613.9, Medical and Mental Care, previously established that if the screening pursuant to 28 C.F.R. Part 115.341 indicates that an inmate has previously perpetrated sexual abuse whether it occurred in a correctional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a mental health clinician within 14 days of the intake screening. Other related policies include 724, Mental Health Services, 708, Emergency Health Care Services, and 714, Health Authority.</p> <p data-bbox="240 595 1477 689">The auditor made observations and asked questions during the facility tour and noted the existence of the active medical unit, staffed by the jail RN. The RN showed the auditor around and described her role and the medical services provided at the jail to include medical and mental health evaluations and treatment for inmate victims of sexual assault.</p> <p data-bbox="240 719 1477 947">(b) The evaluation and treatment of such victims shall 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. The same policies described above enforce the expectations of follow-up care for victims of sexual abuse. Policy 774, Release Planning, recognizes that inmates may require information and assistance with health care follow-up upon release from custody. The purpose of the policy is to establish guidelines to assist staff with providing resources for the continuity of an inmate's health care after he/she is released from custody. Policy 612.16 specifically addresses the content of this provision.</p> <p data-bbox="240 976 1477 1137">The auditor again reviewed the relative medical records and secondary documentation that demonstrate victims receive follow-up services and appropriate treatment plans and, when necessary, referrals for continued care following their transfer to or placement in other facilities, or their release from custody. The auditor spent quite a bit of time with the RN and the PREA Coordinator who demonstrated the use of health appraisals and hospital discharge papers for the continuum of care and follow-up.</p> <p data-bbox="240 1167 1485 1261">Formal interviews with the RN and the Mental Health Practitioner ensured that treatment contains follow-up services. They described treatment plans and, when necessary, referrals for continued care after leaving the facility. Their medical doctor is at the facility approximately once every two weeks to address any follow-ups.</p> <p data-bbox="240 1290 1437 1319">(c) The KCJ provides such victims with medical and mental health services consistent with the community level of care.</p> <p data-bbox="240 1348 1445 1480">The auditor felt that medical records and secondary documentation reviewed demonstrated that victims would receive medical and mental health services consistent with the community level of care. The medical and mental health staff interviews verified that services are offered consistent with the community level of care and usually can be provided a lot sooner than a citizen would receive outside the facility in the community.</p> <p data-bbox="240 1509 1453 1570">(d) Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. Reference Policy 612.6 (f).</p> <p data-bbox="240 1599 1441 1693">The auditor was provided with pregnancy-related secondary medical materials for review. The RN explained the priority attention given to female inmates in pregnancy matters. She verified that victims of sexual abuse are offered pregnancy tests either at the hospital or at the jail.</p> <p data-bbox="240 1722 1469 1783">(e) If pregnancy results from sexual abuse while incarcerated, victims receive timely and comprehensive information about, and timely access to, all lawful pregnancy-related medical services. See 612.6 (f).</p> <p data-bbox="240 1812 1489 1944">The RN verified their responsibilities when it comes to a positive pregnancy test. They ensure that all relative medical services are explained and provided to the inmate. OB/GYN care and other early options are discussed with the victim. This information and access to services is provided to the inmate victim as soon as possible. This was also verified through the review of pregnancy materials at the medical unit.</p> <p data-bbox="240 1973 1485 2033">(f) This provision of the ongoing medical and mental health care standard requires that inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate. Reference 612.16 (e).</p> <p data-bbox="240 2063 1453 2157">The auditor was informed by the PREA Coordinator and the jail nurse that testing would be offered to all victims of sexual abuse at the hospital during the examination process according to the SAFE/SANE protocols. Any treatment orders and prescriptions would be accommodated at the jail.</p>

(g) Treatment 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. Reference Policy 612.6 (h).

This was verified by the PREA Coordinator and Jail Administrator. They would not charge for any services arising out of a sexual assault at the jail. It is never a condition of cooperation with an investigation.

(h) N/A. Applicable to prisons only.

115.86	<b>Sexual abuse incident reviews</b>
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

(a) The KCJ conducts a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse investigation, unless the allegation has been determined to be unfounded. This is required of the PREA Standard as well as their agency policies as noted in 612.10, Sexual Abuse Incident Review, and 613.10, Data Collection and Review - Sexual Abuse Incident Reviews.

In the past 12 months, there were 0 criminal and/or administrative investigations of alleged sexual abuse completed at the facility.

The auditor was supplied with and reviewed a sample of older completed Sexual Abuse Incident Review forms in support of this standard requirement.

(b) Both of the above referenced policies contain the 30 day review requirement (612.10 and 613.10).

In the past 12 months, there were 0 criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only "unfounded" incidents because there were 0 sexual misconduct allegations. The auditor reviewed a few older completed Sexual Abuse Incident Reviews which met the 30 day timeline requirement.

(c) According to policy 612.10, the review team shall include upper-level management officials and seek input from line supervisors, investigators, and qualified health care and mental health professionals. The Sexual Abuse Incident Review form states that the review team must include: Jail Administrator or designee, PREA Coordinator Sergeant, Administrative Sergeant, Program Staff, and input from Investigator, Health Care and Mental Health when appropriate.

The review team members were verified by the PREA Coordinator and the Jail Administrator.

The auditor reviewed the incident review documents in compliance of this substandard.

(d) The review team is required to: (1) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; (2) 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 was motivated or otherwise caused by other group dynamics at the facility; (3) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; (4) Assess the adequacy of staffing levels in that area during different shifts; (5) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and (6) Prepare a report of its findings, including, but not necessarily limited to, determinations made pursuant to paragraphs (d)(1)-(d)(5) of this section, and any recommendations for improvement, and submit such report to the Sheriff and the PREA Coordinator (612.10 and 613.10).

The Sexual Abuse Incident Review document lists the items to review as policy change or practice, motivation for the abuse, site examination, and assessing the adequacy of monitoring technology and staffing levels. The auditor verified that all required criteria are examined and documented upon review.

The auditor discussed the PREA incident review process with the Jail Administrator and a member of the review team. The Jail Administrator described how the team uses the information from the reviews to identify any policy, training, or other issue related to the incident that indicate a need to change policy or practice and that they are continually looking for ways to improve prevention strategies. He also verified that all the criteria required in the standard are considered and documented. The physical location is examined to assess any physical barriers or monitoring blind spots. Staffing levels are always ensured. The review team member was the facility Program Coordinator and although they have not had a sexual abuse allegation to investigate and review in a number of years, he did verify his involvement in the review process and focused on the importance of training. He verified that all criteria was considered upon reviews for improvement.

(e) The KCJ implements the recommendations for improvement or documents its reasons for not doing so. The report section of the Sexual Abuse Incident Review document indicates that the Jail Administrator shall implement the recommendations for improvement or reasons for not doing so, based on the written determinations. The same policies described above also require the recommended implementations.

The Jail Administrator and the PREA Coordinator confirmed that any recommendations coming out of the PREA incident reviews are implemented as soon as feasible. The auditor reviewed a sample of reviews and meeting minutes, including annual reviews, and found that corrective actions and training issues are addressed. Camera upgrades and additional cameras have been installed this year as an overall improvement to supplement staff monitoring in the prevention, detection, and response of PREA incidents as well as for the general safety and security of the institution.

115.87	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1469 398">(a) In addition to the case by case incident reviews, the KCJ also conducts an annual review of collected and aggregated incident-based sexual abuse data in accordance with their policies 612.11, Data Reviews, and 613.10, Data Collection and Review - Data Collection. Specifically and as required in the standard, the KCSO/KCJ collects accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions.</p> <p data-bbox="240 432 1485 790">In addition to the policy review, the auditor read the Annual PREA Data Reviews which contained the appropriate set of definitions similar to the Sexual Survey of Victimization (SSV). The Survey of Sexual Victimization (SSV) is part of BJS's National Prison Rape Statistics Program, which gathers mandated data on the incidence and prevalence of sexual assault in correctional facilities under the Prison Rape Elimination Act of 2003 (PREA; P.L. 108-79). This is an administrative data collection based on allegations of sexual victimization by other inmates or staff that are reported to correctional authorities. The collection includes an enumeration of incidents reported to state prison systems, state juvenile correctional systems, the federal prison system, U.S. Immigration and Customs Enforcement (ICE), the U.S. military, and a sample of jail jurisdictions, privately operated adult prisons and jails, and facilities in Indian country. Additional information is collected on substantiated incidents on the victim(s), perpetrator(s), characteristics of the incident, and outcomes. See <a href="https://www.preaaudit.org/audit-questionnaire/questions?audit_standard_answer_id=96047">https://www.preaaudit.org/audit-questionnaire/questions?audit_standard_answer_id=96047</a>.</p> <p data-bbox="240 824 1485 952">The auditor reviewed the Annual PREA Data Reviews for the KCJ since 2017 as well as the statistical information as reported on the jail's website in compliance of this standard. The 2018 SSV-3, which was completed for KCSO, was also reviewed. The annual PREA Incident Reviews are consistent and standardized according to the federal survey requirements. See <a href="https://www.kanabecounty.org/departments/jail.php">https://www.kanabecounty.org/departments/jail.php</a>.</p> <p data-bbox="240 985 1485 1238">(b) The agency aggregates the incident-based sexual abuse data at least annually. The KCJ prepares their report each calendar year. This is also instructed in policies 612.11 and 613.10. Policy 612.3 assigns this responsibility to the PREA Coordinator to establish a process to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under the direct control of this office, using a standardized instrument and set of definitions. Upon request, the Office shall provide all such data from the previous calendar year to the U.S. Department of Justice (DOJ) no later than June 30 (28 CFR 115.87.1). The data collected shall 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 U.S. DOJ. The data shall be aggregated at least annually. The standardized PREA related definitions are also signified within Policy 612.1.1.</p> <p data-bbox="240 1272 1461 1332">Compliance of this standard is indicated as reviewed in the annual reporting of statistics on the KCJ website and within the annual reviews provided to the auditor. Reports are written in 2017, 2018, 2019, 2020, 2021 format.</p> <p data-bbox="240 1366 1477 1556">(c) The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice. The jail's Data Collection policy requires that the PREA Coordinator shall collect accurate uniform data for every allegation of sexual abuse at the KCJ using the Survey of Sexual Violence Incident Form for each allegation of sexual abuse and sexual harassment involving staff, except those unfounded. The completed survey shall be forwarded to the Jail/911 Administrator or designee. The form is located at <a href="https://harvester.census.gov/ssv/#">https://harvester.census.gov/ssv/#</a> (613.10).</p> <p data-bbox="240 1590 1485 1718">The auditor reviewed the related policies, the recent Annual PREA Data Reviews, the jail website reports, and as relative to this standard the completed 2018 Kanabec County Jail SSV-3 report. This was the report that was most recently requested by the Department of Justice. The KCJ collects and aggregates annually the information needed to accomplish the report as requested by the federal government.</p> <p data-bbox="240 1751 1485 1812">(d) The KCJ maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. (Reference policies 613.10 and 612.12, Records.)</p> <p data-bbox="240 1845 1461 1928">The auditor reviewed a sample of investigative case files and incident reviews relative to this standard for compliance. The PREA Coordinator also provided the auditor with meeting minutes noting discussion of the PREA Annual Review and all reported incidents.</p> <p data-bbox="240 1962 1158 1991">(e) N/A. The KCJ does not contract with a private facility for the confinement of its inmates.</p> <p data-bbox="240 2024 1469 2107">(f) The KCSO/KCJ has not provided the Department of Justice (DOJ) with data from the previous calendar year because it was not requested of them. They have accomplished an SSV-3 in 2018, the most recent year it was requested. Policy 613.10 requires:</p>

- (a) The PREA Coordinator shall collect accurate uniform data for every allegation of sexual abuse at the KCJ using the Survey of Sexual Violence Incident Form for each allegation of sexual abuse and sexual harassment involving staff, except those unfounded. The completed survey shall be forwarded to the Jail/911 Administrator or designee. The form is located at <https://harvester.census.gov/ssv/#>.
- (b) The PREA coordinator shall assemble the incident-based sexual abuse data annually.
- (c) No later than June 30th each year, the PREA Coordinator shall provide data from the previous calendar year to the Department of Justice for every allegation of sexual abuse.
- (d) The KCJ shall maintain, review, and collect data as needed from all ICR's, JR's and investigative files.

115.88	<b>Data review for corrective action</b>
	Auditor Overall Determination: Meets Standard
	Auditor Discussion



(a) PREA Standard 115.88, Data Review for Correction Action, mandates the agency to 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: (1) Identifying problem areas; (2) Taking corrective action on an ongoing basis; and (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole. By policy, the KCSO requires the same. See 612.11 DATA REVIEWS: This office shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training by:

- (a) Identifying problem areas.
- (b) Identifying corrective actions taken.
- (c) Recommending corrective actions.
- (d) Comparing current annual data and corrective actions with those from prior years.
- (e) Assessing the office's progress in addressing sexual abuse.

Policy 613.10, Data Collection and Review - Data Review for Corrective Action, reinforces the standard and describes the members of the review team.

The auditor spoke with the Sheriff and the PREA Coordinator relative to this standard as they verified and described the review process. The Sheriff said he credits the priority emphasis they place on PREA training as well as continued oversight to the PREA Coordinator and PREA team for their low incident rates. They are proactive in the prevention of custodial sexual abuse. Incident-based sexual abuse data is assessed in order to identify problem areas, and corrective action is taken on an on-going basis with an overall annual review to ensure future improvements and to mitigate risks. The PREA Coordinator ensured the auditor of the annual review process relative to the prevention, detection, and response of sexual abuse/sexual harassment. PREA training is emphasized and is provided above and beyond the standard requirements. She provided the auditor with the completed Annual PREA Data Review documents which addressed any problem areas, identified corrective actions, compared current annual data with corrective actions from prior years, and assessed the Sheriff's Office progress in addressing sexual abuse. The jail takes corrective action on an ongoing basis based on the initial incident review data in addition to the annual collected data. Also provided to the auditor was a copy of Sergeant meeting minutes which contained the topic of PREA annual reviews. The PREA data is securely retained and available for Administrative Staff.

(b) This standard also requires the annual report to include a comparison of the current year's data and corrective actions with those from prior years as well as an assessment of the agency's progress in addressing sexual abuse.

KCJ policies 612.11 and 613.10 also address this standard requirement.

This review standard was corroborated by the PREA Coordinator and upon review of the Annual PREA Data Review documents. There is a separate section in the report which details the comparison of the current annual data and corrective actions with those from prior years.

(c) The agency makes its annual report readily available to the public at least annually through its website with final approval from the Sheriff. The same policies also address this standard.

The Sheriff confirmed that he approves the annual reports and any material that is posted on the Sheriff's Office website.

A review of the KCSO/KCJ website confirmed the annual statistical analysis of PREA incidents. The reports should illustrate the KCJ progress towards addressing sexual abuse. See <https://www.kanabecounty.org/departments/jail.php>.

(d) When the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility, and the agency indicates the nature of material redacted.

The KCSO/KCJ Data Reviews policy require the same standard. The integrity of the security of the facility must be maintained and balanced with the privacy concerns of victims of sexual abuse. The PREA Coordinator advised the auditor which information is not included in the reports and said that the most common redaction would be names and other personal identifiers.

The auditor verified that there were no personal identifiers and no security concerns with the website reporting content. The SSV-3 reports that are contained on the jail website provide the reader with statistical information related to PREA incidents and have no personal identifiers.

The KCSO/KCJ are in substantial compliance in all material ways with this standard for this review period.

<b>115.89</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="229 192 1509 255"><b>Auditor Discussion</b></p> <p data-bbox="229 255 1509 300">(a) The agency shall ensure that data collected pursuant to § 115.87 is securely retained.</p> <p data-bbox="229 300 1509 501">KCJ Policy 612.12, RECORDS, enforces that all case records and reports associated with a claim of sexual abuse and sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with privacy laws. Policy 613.10, Data Collection and Review - Data Storage, Publication, and Destruction, makes it the PREA Coordinator's responsibility to secure and retain all data collected related to sexual abuse.</p> <p data-bbox="229 501 1509 591">The PREA Coordinator affirmed that sexual abuse data is securely retained within their electronic jail management system on a special drive only available to Administrators.</p> <p data-bbox="229 591 1509 725">(b) According to this substandard, agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website.</p> <p data-bbox="229 725 1509 882">The KCSO operates one jail facility and does not contract for the confinement of its inmates at a private facility. As previously discussed in the Youthful Offenders PREA Standard, the county itself contracts with Anoka County for juvenile beds, and with the East Central Regional Secure Juvenile Detention and Treatment Facility also being PREA compliant, they provide to the public the required reporting information on its website: <a href="https://www.anokacounty.us/2283/PREA">https://www.anokacounty.us/2283/PREA</a>.</p> <p data-bbox="229 882 1509 1039">(c) and (d) The agency maintains sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of initial collection, unless federal, state, or local law requires otherwise. The Data Storage, Publication and Destruction policy and the KCJ Records policy also require the 10 year retention. Again, all personal identifiers are required to be redacted in accordance with this standard.</p> <p data-bbox="229 1039 1509 1128">The auditor read and reviewed all KCSO/KCJ website publications and verified that the agency removed all personal identifiers of sexual abuse data.</p> <p data-bbox="229 1128 1509 1249">The PREA Coordinator informed the auditor that all records and reports associated with a PREA incident are maintained for at least ten years. The auditor verified that PREA case files have been retained with a review of their historical records. The 10-year requirement does not conflict with the state retention schedule for all jail incident reports.</p>

115.401	<b>Frequency and scope of audits</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1465 398">(a) During the three-year period starting on August 20, 2013, and during each three-year period thereafter, the KCSO ensured that each facility operated by the agency is audited at least once. This is the third year of the third three-year period. The KCSO operates one jail facility. Policy 612.3, PREA Coordinator, makes it their responsibility to ensure audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 (28 CFR 115.93).</p> <p data-bbox="242 427 1485 555">The auditor reviewed the KCJ records and website to ensure that their jail has been audited. The jail has published both previous PREA Final Reports from 2016 and 2019 on their website. The KCSO met this standard during the prior three-year audit cycle. This is the third KCJ PREA audit conducted by this auditor, and so the auditor has first-hand knowledge that the KCSO/KCJ has met their PREA auditing obligations since 2016.</p> <p data-bbox="242 584 1481 680">(b) During each one-year period starting on August 20, 2013, the agency shall ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, is audited. The KCSO has one jail facility which requires PREA auditing.</p> <p data-bbox="242 710 1185 770">The auditor reviewed the KCJ website for access to the PREA Audit Final Reports of 2016 and 2019: <a href="https://www.kanabeccounty.org/departments/jail.php">https://www.kanabeccounty.org/departments/jail.php</a>.</p> <p data-bbox="242 799 1485 1030">(h) The auditor shall have access to, and shall observe, all areas of the audited facilities. The auditor reviewed the KCJ schematic, observed all camera monitors, and physically observed all areas of the KCJ. The auditor was allowed sufficient time to be able to pay attention to how well supervised inmates are and how cameras are being monitored to supplement staff supervision. Cameras are monitored in a way that keeps inmates safe from sexual abuse. The auditor did not notice any blind spots or structural barriers that would prevent sufficient monitoring of inmates. Areas that were toured included: intake, all housing units including cell blocks, segregated housing units (special management), health care areas, recreation, kitchen, laundry, program areas, administrative offices, sally-port, pre-booking, inmate visiting rooms, and the jail lobby.</p> <p data-bbox="242 1059 1457 1187">(i) The auditor shall be permitted to request and receive copies of any relevant documents (including electronically stored information). At all times during the on-site audit, the PREA Coordinator and her team were responsive to requests for additional information and review of any and all files. The auditor was also allowed access to review electronically stored information.</p> <p data-bbox="242 1216 1481 1344">(m) The agency/facility must have permitted the auditor to conduct interviews with any inmates that were requested by the auditor. The agency/facility must have allowed the auditor to conduct these interviews in a private setting. The KCJ provided the auditors with a private area to conduct inmate interviews one at a time. All inmates in custody but one were interviewed during the on-site audit. A diverse sample of inmates from all housing areas were interviewed.</p> <p data-bbox="242 1373 1474 1536">(n) Inmates and staff 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 was provided with time/date stamped photographs of the Upcoming PREA Audit Notice posted in all housing units and in various locations throughout the jail which advertised the confidential correspondence opportunity to the auditor. There were 0 letters mailed to the auditor from the KCJ. The notice was posted 6 weeks prior to the on-site audit dates.</p> <p data-bbox="242 1565 1369 1594">The auditor asked a few inmates if they knew I was coming and they said that yes, there are notices everywhere.</p>

<b>115.403</b>	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="244 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="244 271 1485 398">The KCJ has published on the KCSO website all Final Audit Reports. The auditor has reviewed the agency website and both prior PREA Final Reports are published and available for public viewing. The prior audit years are 2016 and 2019. This is the third PREA audit conducted by this auditor. KCJ policy 612.3 makes it the PREA Coordinator's responsibility to ensure audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 (28 CFR 115.93).</p> <p data-bbox="244 432 1417 488">The PREA Coordinator also assured the auditor that the 2022 PREA Audit Final Report would be published on the jail website well within the 90 day timeframe.</p>

<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.)	na
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	na
<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 that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na

<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 consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
<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 facility does not have female inmates.)	yes
<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



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

<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 may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
<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.)	yes
	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.)	na
<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 Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<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 suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<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 screening instrument?	yes



<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) Whether the inmate is detained solely for civil immigration purposes?	yes
<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 information is not exploited to the inmate's detriment by staff or other inmates?	yes
<b>115.42 (a)</b>	<b>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)</b>	<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)</b>	<b>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 present management or security problems?	yes

<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 solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
<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)</b>	<b>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)</b>	<b>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)</b>	<b>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)</b>	<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 anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	yes
<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 this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

<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, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	yes
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
<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 abuse or sexual harassment or retaliation?	yes
<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 response to an incident of sexual abuse?	yes
<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 sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
<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 of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

<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 abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
<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?	no
<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 evidence sufficient to substantiate the allegation?	yes
<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).	yes
<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 sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
<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 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 to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
<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.)	no
	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 (f)</b>	<b>Audit contents and findings</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