

# PREA Facility Audit Report: Final

**Name of Facility:** Butler County Detention Facility

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 09/29/2022

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"/>
<b>Auditor Full Name as Signed:</b> Paul Perry	<b>Date of Signature:</b> 09/29/2022

AUDITOR INFORMATION	
<b>Auditor name:</b>	Perry, Paul
<b>Email:</b>	paul.perry@carolinedf.org
<b>Start Date of On-Site Audit:</b>	08/24/2022
<b>End Date of On-Site Audit:</b>	08/26/2022

FACILITY INFORMATION	
<b>Facility name:</b>	Butler County Detention Facility
<b>Facility physical address:</b>	701 S. Stone Road, El Dorado, Kansas - 67042
<b>Facility mailing address:</b>	

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

Warden/Jail Administrator/Sheriff/Director	
<b>Name:</b>	Toby Stewart
<b>Email Address:</b>	tstewart@bucoks.com
<b>Telephone Number:</b>	(316)320-7766

Facility PREA Compliance Manager	
<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	

Facility Characteristics	
<b>Designed facility capacity:</b>	235
<b>Current population of facility:</b>	184
<b>Average daily population for the past 12 months:</b>	191
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	Both females and males
<b>Age range of population:</b>	18 years and above
<b>Facility security levels/inmate custody levels:</b>	Min, Med, Max
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	41
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	12
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	41

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

Agency Chief Executive Officer Information:	
<b>Name:</b>	Toby Stewart
<b>Email Address:</b>	tstewart@bucoks.com
<b>Telephone Number:</b>	3163207766

**Agency-Wide PREA Coordinator Information**

<b>Name:</b>	Katina Dunning	<b>Email Address:</b>	kdunning@bucoks.com
--------------	----------------	-----------------------	---------------------

**SUMMARY OF AUDIT FINDINGS**

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

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

**Number of standards exceeded:**

0

**Number of standards met:**

45

**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:	2022-08-24
2. End date of the onsite portion of the audit:	2022-08-26

### 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:	Family Life Center - Safehouse

## AUDITED FACILITY INFORMATION

14. Designated facility capacity:	235
15. Average daily population for the past 12 months:	191
16. Number of inmate/resident/detainee housing units:	5
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:	172
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:	1
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:	1
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:	2
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:	54
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:	3
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):	No text provided.
<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:	36
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:	41
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:	12
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:	No text provided.
<b>INTERVIEWS</b>	
<b>Inmate/Resident/Detainee Interviews</b>	
<b>Random Inmate/Resident/Detainee Interviews</b>	

53. Enter the total number of <b>RANDOM INMATES/RESIDENTS/DETAINEES</b> who were interviewed:	10
54. Select which characteristics you considered when you selected <b>RANDOM INMATE/RESIDENT/DETAINEE</b> 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 <b>RANDOM INMATE/RESIDENT/DETAINEE</b> interviewees was geographically diverse?	The Auditor utilized the facility roster to select a diverse population, to include from each housing unit.
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):	The Auditor utilized the facility roster to select both male and female inmates from each of the facility housing units.
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
58. Enter the total number of <b>TARGETED INMATES/RESIDENTS/DETAINEES</b> who were interviewed:	11
<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:	1
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:	1

<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>The Auditor interviewed staff and inmates in an effort to discover if any inmates were housed in the facility who were identified as blind or low vision. The Auditor verified with medical personnel.</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>The Auditor interviewed staff and inmates in an effort to discover if any inmates were housed in the facility who were identified as deaf or hard of hearing. The Auditor verified with medical personnel.</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>2</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>5</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>The Auditor interviewed staff and inmates in an effort to determine if a transgender or intersex inmate was housed in the facility. The Auditor reviewed inmate records.</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>The Auditor reviewed the facility's investigative tracking mechanism and cross referenced the facility roster in an attempt to discover an inmate who had reported an allegation of sexual abuse in the facility.</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>3</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><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>The Auditor interviewed staff and inmates to verify no inmate had been placed in involuntary segregation for the protection from sexual abuse. The Auditor reviewed investigative, classification and housing records.</p>
<p><b>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</b></p>	<p>No text provided.</p>
<p><b>Staff, Volunteer, and Contractor Interviews</b></p>	
<p><b>Random Staff Interviews</b></p>	

71. Enter the total number of RANDOM STAFF who were interviewed:	12
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
<b>Specialized Staff, Volunteers, and Contractor Interviews</b>	
Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.	
75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	15
76. Were you able to interview the Agency Head?	<input type="radio"/> Yes <input checked="" type="radio"/> No
a. Explain why it was not possible to interview the Agency Head:	The Agency Head was unavailable for interview.
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input type="radio"/> Yes <input type="radio"/> No <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><b>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<p><input type="checkbox"/> Agency contract administrator</p> <p><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</p> <p><input type="checkbox"/> Line staff who supervise youthful inmates (if applicable)</p> <p><input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable)</p> <p><input checked="" type="checkbox"/> Medical staff</p> <p><input checked="" type="checkbox"/> Mental health staff</p> <p><input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches</p> <p><input checked="" type="checkbox"/> Administrative (human resources) staff</p> <p><input checked="" type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff</p> <p><input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations</p> <p><input checked="" type="checkbox"/> Investigative staff responsible for conducting criminal investigations</p> <p><input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness</p> <p><input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation</p> <p><input checked="" type="checkbox"/> Staff on the sexual abuse incident review team</p> <p><input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation</p> <p><input checked="" type="checkbox"/> First responders, both security and non-security staff</p> <p><input checked="" type="checkbox"/> Intake staff</p> <p><input type="checkbox"/> Other</p>
<p><b>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</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>2</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 checked="" type="checkbox"/> Education/programming</p> <p><input checked="" type="checkbox"/> Medical/dental</p> <p><input 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>No text provided.</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: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.

<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>
---	---

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

<p><b>85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
--	---

<p><b>86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
---	---

<p><b>87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
--	---

<p><b>88. Informal conversations with staff during the site review (encouraged, not required)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
--	---

<p><b>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).</b></p>	<p>No text provided.</p>
--	--------------------------

### Documentation Sampling

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

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?

- Yes  
 No

91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).

No text provided.

## 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
<b>Inmate-on-inmate sexual abuse</b>	1	0	1	0
<b>Staff-on-inmate sexual abuse</b>	2	0	2	0
<b>Total</b>	3	0	3	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
<b>Inmate-on-inmate sexual harassment</b>	6	0	6	0
<b>Staff-on-inmate sexual harassment</b>	7	0	7	0
<b>Total</b>	13	0	13	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
<b>Inmate-on-inmate sexual abuse</b>	0	0	0	0	0
<b>Staff-on-inmate sexual abuse</b>	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

**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	1	0	0
<b>Staff-on-inmate sexual abuse</b>	0	2	0	0
<b>Total</b>	0	3	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	4	1	1
<b>Staff-on-inmate sexual harassment</b>	0	6	0	1
<b>Total</b>	0	10	1	2

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

**Sexual Abuse Investigation Files Selected for Review**

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	2
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)
<b>Inmate-on-inmate sexual abuse investigation files</b>	
100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	0
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
<b>Staff-on-inmate sexual abuse investigation files</b>	
103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	2
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
<b>Sexual Harassment Investigation Files Selected for Review</b>	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	8

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

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

<p>108. Enter the total number of <b>INMATE-ON-INMATE SEXUAL HARASSMENT</b> investigation files reviewed/sampled:</p>	<p>5</p>
---	----------

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

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

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

<p>111. Enter the total number of <b>STAFF-ON-INMATE SEXUAL HARASSMENT</b> investigation files reviewed/sampled:</p>	<p>3</p>
--	----------

<p>112. Did your sample of <b>STAFF-ON-INMATE SEXUAL HARASSMENT</b> investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
--	---

<p>113. Did your sample of <b>STAFF-ON-INMATE SEXUAL HARASSMENT</b> 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 harassment investigation files)</p>
--	---

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

**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>
--	---

**Non-certified Support Staff**

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

**AUDITING ARRANGEMENTS AND COMPENSATION**

<p>121. Who paid you to conduct this audit?</p>	<p><input 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 checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm)</p> <p><input type="radio"/> Other</p>
---	---

<p>Identify the name of the third-party auditing entity</p>	<p>PREA Auditors of America</p>
---	---------------------------------

## Standards

### Auditor Overall Determination Definitions

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

### Auditor Discussion Instructions

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

115.11

**Zero tolerance of sexual abuse and sexual harassment; PREA coordinator**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility (BCDF) has established a zero-tolerance policy towards all forms of sexual abuse and sexual harassment. The facility's policy is to provide a safe, humane, and appropriately secure environment, free from threat of sexual abuse or sexual harassment for all inmates, by maintaining a program of prevention, detection, response, investigation and tracking of all reported sexual abuse and sexual harassment incidents. The BCDF's policy includes definitions of the following:

- Sexual Abuse;
- Sexual Harassment; and
- Voyeurism

The facility's policy includes prevention, detection and response steps to assist in its efforts towards creating a zero-tolerance culture. The policy includes, but is not limited to, the following prevention, detection and response techniques:

- Inmate education;
- Screening inmates for risk of victimization and abusiveness;
- Medical and mental health evaluations;
- Medical and mental health treatments;
- Individualized classification assignments;
- Reassessments of inmates;
- Staff training;
- Volunteer and contractor training;
- Special accommodations for inmates with disabilities;
- Mandatory reporting of sexual abuse;
- Investigations;
- Employee, contractor and volunteer screening;
- Written coordinated response plan;
- Staff first responder duties;
- Reporting investigative results to inmates;
- Protections against retaliation;
- Forensic evidence collection;
- Maintaining separation of victims and abusers; and
- Management of sexual abusers.

The Butler County Detention Facility's policy stipulates the designation of an upper-level, PREA Coordinator with sufficient time and authority to develop, implement, and oversee its efforts to comply with the PREA standards. The policy stipulates the following responsibilities of the PREA Coordinator:

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

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

**Evidence Relied Upon:**

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

Policy – 116.18 – Sanctions for Individuals Found to have Participated in Sexual Abuse or Sexual Harassment pg. 1

Facility Organizational Chart

Staff Interviews

Inmate Interviews

Observations

**Analysis/Reasoning:**

The Auditor conducted a review of the Butler County Detention Facility's Zero Tolerance policy. The facility's policy includes the agency's prevention, detection, and response approaches towards sexual abuse and sexual harassment of inmates. The agency policy states, "The Butler County Detention Facility mandates zero tolerance toward all forms of sexual abuse and sexual harassment. Sexual abuse of an inmate and sexual harassment of an inmate are prohibited."

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

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

Interactions the Auditor had with the PREA Coordinator prior to arriving at the facility assisted the Auditor in determining the PREA Coordinator has sufficient time to oversee facility PREA efforts. The Auditor made multiple requests to the PREA Coordinator for additional information and documentation. The PREA Coordinator quickly responded to the Auditor's questions, concerns, comments, and provided the additional documentation in a timely manner. The onsite visit assisted the Auditor in determining the PREA Coordinator's ability to manage the facility's compliance with the PREA standards. During a formal interview with the PREA Coordinator, the Auditor was informed the PREA Coordinator feels she has sufficient time and authority to oversee the facility's compliance.

The Auditor conducted both formal and informal interviews with random and specifically selected inmates. The Auditor was able to determine the agency has successfully created a zero-tolerance culture towards sexual abuse and sexual harassment. The Auditor asked each inmate during interviews if they had heard of or witnessed an incident of sexual abuse at the facility. The inmate population overwhelmingly informed the Auditor the staff take those incidents serious at the facility. The inmate population appeared well educated regarding the facility's policies and procedures towards prevention, detection and response to sexual abuse and sexual harassment. Inmates informed the Auditor they are provided information upon booking and are offered a PREA video.

The Auditor asked each inmate interviewed if they felt safe in the facility. Each, excluding one inmate, informed the Auditor they feel safe. The Auditor asked each if they felt confident enough in staff to verbally report an allegation of sexual abuse or sexual harassment. Most inmates stated they feel confident to be able to verbally report an allegation to a staff member. Each inmate informed the Auditor they have seen the posted PREA information around the facility, including in the living units. Most inmates stated staff take allegations seriously and respond appropriately to them.

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

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

The Auditor conducted interviews with several command staff members, including the Operations Captain. Command staff maintain an open-door policy to all staff and prioritize PREA compliance. The Auditor determined the facility has successfully created a zero-tolerance culture. The command staff clearly support employees in their efforts to prevent, detect and respond to sexual abuse and sexual harassment. The Sheriff supports staff at the detention facility and provides available

resources to ensure compliance with the PREA standards.

**Conclusion:**

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

115.12	<b>Contracting with other entities for the confinement of inmates</b>
	<p data-bbox="242 145 740 174"><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 1476 465">The Butler County Detention Facility has not entered into or renewed a contract for the confinement of its inmates since the last PREA audit. The facility's policy stipulates the Butler County Detention Facility does not utilize other agencies or private entities to house its offenders. The facility has a policy that requires any new contract or contract renewal include the obligation for the contracting agency to adopt and comply with PREA standards. The policy stipulates the Butler County Sheriff's Office will monitor the contractor for compliance with those standards. The facility has adopted this policy in the event a need arises for confinement of the facility's inmates.</p> <p data-bbox="242 495 488 524"><b>Evidence Relied Upon:</b></p> <p data-bbox="242 553 1098 582">Policy – 116.26 – Contracting with Other Entities for the Confinement of Inmates pg. 1</p> <p data-bbox="242 611 446 640">Interviews with Staff</p> <p data-bbox="242 669 467 698"><b>Analysis/Reasoning:</b></p> <p data-bbox="242 728 1437 788">The Butler County Detention Facility does not contract for confinement of BCDF inmates. Interviews with command staff reveal the facility does not contract with any agency to hold inmates from the Butler County Detention Facility.</p> <p data-bbox="242 817 376 846"><b>Conclusion:</b></p> <p data-bbox="242 875 1401 936">The Auditor reviewed agency policies and conducted interviews with staff. The Auditor determined the Butler County Detention Facility meets the requirements of this standard.</p>

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility has a policy which requires the adoption and implementation of a staffing plan. The facility's policy stipulates the BCDF will make its best efforts to comply with the staffing plan and will document circumstances where the staffing plan is not complied with. An annual review of the staffing plan is required to assess and determine whether adjustments are needed to the staffing plan, video monitoring systems and other technologies. The PREA Coordinator is required to collaborate during the annual staffing plan review.

The agency's policy requires Corporals and Sergeants to conduct and document unannounced rounds at least once per shift, in all areas of the facility, to identify and deter staff sexual abuse or harassment. The requirement applies to both day and night shifts. Staff members are prohibited by policy of alerting other staff as to when or where the rounds are occurring, unless related to the legitimate operational needs of the facility. Supervisors are required to document their unannounced rounds in the facility's Computerized Jail Records Management System. Supervisors are also required by policy to periodically monitor facility video cameras to identify and deter staff sexual abuse and sexual harassment.

**Evidence Relied Upon:**

Policy – 116.2 – Staffing Plan/Video Monitoring and Unannounced Supervisor Rounds pg. 1-2

Butler County Detention Facility Staffing Plan

Butler County Detention Facility Staffing Analysis

PREA Staffing Plan Reviews

Staffing Log

Shift Rosters

Interviews with Staff

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The Auditor reviewed the Butler County Detention Facility's staffing plan. The staffing plan was modified May 2, 2022. The current staffing plan includes the following considerations:

- Generally accepted detention and correctional practices;
- Any judicial findings of inadequacy;
- Any findings of inadequacy from federal investigative agencies;
- Any findings of inadequacy from internal or external oversight bodies;
- All components of the facility's physical plant (including "blind-spots" or areas where staff or Inmates may be isolated);
- The composition of the inmate population;
- The number and placement of supervisory staff;
- Institutional programs occurring on a particular shift;
- Applicable State or local laws, regulations, or standards;
- Prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- Any other relevant factors.

The staffing plan reviewed by the auditor was predicated with an average daily population of 235 inmates and includes provisions for video monitoring technology. Staff supervision is supplemented with 103 video cameras placed strategically throughout the facility. Cameras monitor housing units and 2 inmate cells. Video monitoring technology is installed in other facility areas such as facility corridors, laundry, kitchen, common areas and all other areas where inmates would travel. The facility's staffing plan includes provisions for administrative, support, and security positions on all shifts in all facility areas.

The facility conducts an annual review of its staffing in accordance with the elements of this standard. Staff review the staffing plan at least one time each year and more frequently when needed. The Auditor reviewed the staffing plan reviews from the previous 12 months. The PREA Coordinator participated in the facility's staffing plan review. The staffing plan review included the following considerations:

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

The staffing plan review determined the current staffing plan is adequate for the protection of the inmate population. The team discussed utilizing an excel spreadsheet to document deviations from the staffing plan. Deviations are considered when the shift has fewer than 8 staff on shift. The spreadsheet documents the following:

- Date;
- Time period of deviation;
- Shift type;
- Team;
- Supervisor on duty; and
- Explanation of deviation.

The reason for staff absences are recorded in the staffing log by the Shift Commander. The most common reasons for deviations from the BCDF staffing plan are employment shortages, light duty restrictions, sick leave call-ins, and scheduled training.

The facility is currently authorized 57 full time positions and one part time position. There are 53.5 security and 4 civilian positions authorized. At the time of the audit the facility had 17 security vacancies and 1 civilian position vacant. The facility was 69% staffed at the time of the audit. Security staffing was 32% below total while non-security staffing was 25% below capacity. The facility makes its best efforts to comply with the staffing plan by continual recruitment, filling vacant positions with staff on overtime and adjusting schedules and operations as needed. The Auditor determined the following:

The staff to inmate ratio utilizing the facility capacity (235) and the authorized positions (57.5):

- One staff member for every 4.1 inmates

The staff to inmate ratio utilizing the facility capacity (235) and the authorized security positions (53.5):

- One security staff member for every 4.4 inmates

The staff to inmate ratio utilizing the current number of inmates (172) and the current number of staff (39.5):

- One staff member for every 4.4 inmates

The staff to inmate ratio utilizing the current number of inmates (172) and the current number of security staff (36.5):

- One staff member for every 4.7 inmates

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

While touring the facility the Auditor observed notations of unannounced supervisory rounds throughout all facility living units. The unannounced rounds were notated electronically in the facility's management system. The unannounced security rounds were conducted by intermediate and higher-level supervisors. The Auditor requested additional unannounced supervisory rounds logs from the PREA Coordinator. The PREA Coordinator provided the logs from the previous 12 months. The logs reveal intermediate and higher-level supervisors are documenting unannounced rounds.

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

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

The Auditor conducted formal and informal interviews with inmates. Inmates were asked if supervisors always announce their presence when entering a housing unit. Most female inmates informed the Auditor male supervisors do announce their presence when entering the unit. Most male inmates stated female supervisors announce their presence when entering but they do not always hear them do so. The inmate population stated supervisors do make daily rounds in housing units.

The Auditor asked inmates if they feel safe in the facility. All inmates interviewed by the Auditor, excluding one, stated they do feel safe in the facility. Most inmates informed the Auditor staff interact professionally with the population and respond appropriately to incidents. During a tour of the facility the Auditor observed staff in various areas of the facility, including living units. Cameras are strategically placed in all areas of the facility to help prevent, detect and respond to incidents of sexual abuse and sexual harassment.

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

**Conclusion:**

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

115.14	<b>Youthful inmates</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>The agency has a policy that states, "Inmates under the age of 18 years will not be housed at the Butler County Detention Facility regardless of adjudicated status." Youthful inmates are transported to a Juvenile Detention Facility.</p> <p><b>Evidence Relied Upon:</b></p> <p>Policy – 116.3 – Youthful Inmates pg. 1-2</p> <p>Population Reports</p> <p>Interviews with Staff</p> <p>Interviews with Inmates</p> <p><b>Analysis/Reasoning:</b></p> <p>The Auditor reviewed the facility's Youthful Inmates policy. Although policy stipulates the facility will not house youthful offenders, the policy includes the following requirements for housing youthful offenders:</p> <ul style="list-style-type: none"> <li>• Prohibits placing youthful offenders in a housing unit in which they will have sight, sound or physical contact with adult inmates using shared dayroom or other common space, shower area, or sleeping quarters;</li> <li>• In areas outside of housing units staff maintain sight and sound separation between youthful and adult inmates, or provide direct staff supervision when there is sight, sound or physical contact;</li> <li>• Facility will make its best efforts to avoid placing youthful inmates in isolation to comply with the standard;</li> <li>• Absent exigent circumstances, the facility will not deny youthful inmates daily large-muscle exercise and any legally required special education services to comply with standards; and</li> <li>• Youthful inmates will have access to other programs and work opportunities to the extent possible.</li> </ul> <p>The Auditor reviewed facility population reports. Population reports reviewed by the Auditor revealed all inmates were 18 years of age or older. The Auditor found no evidence of a youthful inmate or an inmate under the age of 18 who was tried and certified as an adult inmate during the previous 12 months. During the facility tour the Auditor observed an area adjacent to the vehicular sallyport that can be utilized for juvenile housing. The area had 2 cells in a corridor. Both cells had female adult inmates inside. This area was previously used to house youthful inmates. The facility no longer holds juvenile offenders. Juvenile inmates are sent directly to a facility dedicated to house juveniles. The facility uses the two cells as disciplinary and administrative segregation for female inmates as there is only one female housing unit. The facility has not housed a youthful offender during this or the previous audit cycle.</p> <p>The Auditor conducted formal and informal interviews with staff. Staff informed the Auditor they do not incarcerated youthful inmates at the Butler County Detention Facility. The Auditor asked staff if they have housed an offender under the age of 18 who had been certified and tried as an adult. Some staff stated the facility housed them years ago but have not done so since they came into compliance with PREA standards. The Auditor asked offenders in formal interviews if they were aware of a youthful inmate being housed in the facility. No inmate was aware of a youthful inmate housed in the facility.</p> <p>The Auditor interviewed staff members who supervise inmates in the segregation housing area. The Auditor asked if a youthful inmate has ever been housed in the segregation housing unit. The Auditor was informed the facility has never housed a youthful inmate in either the male or female segregation areas. Booking staff informed the Auditor juveniles are not brought to the facility for processing. They are transported directly to a juvenile facility.</p> <p><b>Conclusion:</b></p> <p>The Auditor reviewed agency policies, procedures, population reports and interviewed staff and inmates to determine the facility meets the requirements of this standard. The Butler County Detention Facility has not housed a youthful inmate during this audit period.</p>

**115.15**      **Limits to cross-gender viewing and searches**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility has a policy that prohibits staff from conducting cross-gender strip searches or cross gender visual body cavity searches except in exigent circumstances or when performed by medical professionals. The policy is applicable to viewing of cameras. The BCDF's policy prohibits cross-gender pat-down searches of female inmates, absent exigent circumstances. All cross-gender strip searches and cross-gender pat-down searches of female inmates are required to be included in the facility's electronic Jail Management Records System as an Incident and must describe what the exigent circumstances were. Policy stipulates the BCDF will not restrict female inmates' access to regularly available programs or other out-of-cell opportunities in order to comply with this standard.

The Butler County Detention Facility's policy permits female security staff to conduct cross-gender pat-down searches of male inmates. The BCDF policy enables inmates the opportunity to shower, perform bodily functions, and change clothing without nonmedical personnel of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks.

Policy prohibits staff from conducting a search of a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If staff cannot determine an inmate's genital status, they are to determine through conversation with the inmate, reviewing medical records, or a medical examination conducted as part of a regular medical examination required of or offered to all inmates. Staff are required to conduct cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

BCDF policy requires staff of the opposite gender of the offenders announce their presence when entering inmate housing areas.

**Evidence Relied Upon:**

Policy – 116.4 – Cross Gender Viewing and Searches of Transgender Inmates/Cross Gender Announcements, pg. 1-2

Incident Narrative Report

Training Curriculum

Training Attendance Records

Shift Rosters

Interviews with Inmates

Interviews with Staff

Observations

**Analysis/Reasoning:**

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

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

Interviews with staff members reveal only female staff perform cross-gender pat-down searches. All staff interviewed by the Auditor stated cross-gender strip-searches are only conducted in exigent circumstances. No security staff member conducts

body cavity searches. Those searches are conducted by medical personnel. The Auditor asked each staff member if offenders are able to shower, perform bodily functions, and change clothes without them seeing the offenders do so. Each staff member interviewed stated "yes." The Auditor asked each female staff member if they announce their presence when entering a living unit of the opposite gender. Each female staff member stated they do announce their presence when entering opposite gender living units. The Auditor asked male staff if they announce their presence when entering female living units. The Auditor was informed they do announce their presence when entering.

The Auditor did not interview a transgender or intersex inmate during the audit as there were no inmates who identified as such during the time of the audit. During interviews with staff the Auditor discovered the facility had housed transgender inmates during the previous 12 months. Staff were asked who conducted the pat-down and strip searches. The Auditor was informed a female staff member conducted the pat-down searches of the transgender inmates. Staff informed the Auditor a male staff member conducted the strip-search of the transgender. The Auditor asked each staff member interviewed if they would conduct a strip-search to determine an inmates' genital status. Each staff member stated they do not conduct such searches. The Auditor asked how they would determine the inmate's genital status if it was unknown. Most informed they would ask the inmate, review the inmate's paperwork or contact medical personnel.

The facility reported one incident of a cross-gender strip search during the previous 12 months. Facility staff who were involved documented their actions on an Incident Narrative Report. Opposite gender staff were not directly involved in the search but were present due to exigent circumstances. Each opposite gender staff member submitted an Incident Narrative Report. After reviewing the narratives, the Auditor observed the inmate was ordered to be placed on suicide watch by medical personnel. The inmate became combative and refused orders to remove her clothing. Staff responded to the area to restrain the inmate while a female staff member removed the inmate's clothing to prepare for placement on suicide watch.

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

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

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

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

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

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

The Auditor interviewed staff and inmates. Staff were asked if they make opposite gender announcements when entering inmate living units. Each staff interviewed stated they do make such announcements. The Auditor asked inmates if staff make opposite gender announcements when entering their living unit. Most inmates informed staff do make opposite gender announcements. The Auditor did determine through further conversations with the inmates they are not always able to hear

the staff member make an opposite gender announcement.

**Conclusion:**

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

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The agency has a policy to ensure inmates with disabilities, including those with a Limited English Deficiency have an equal opportunity to benefit from all aspects of BCDP's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The policy requires facility staff to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially. Staff are required to read to and ensure understanding of all sexual abuse and sexual harassment information, if necessary, to comply with the policy.

The policy stipulates written materials are provided in formats and through methods that ensure effective communications with inmates with disabilities. The facility's written materials regarding PREA are written in simple language and are available through posters, brochures and the BCDP Inmate Handbook. Policy requires the facility's inmate educational video be provided in closed captioning.

Agency policy requires the facility maintain an agreement with an interpretive service that is capable of interpreting in various languages. Limited English Proficient inmates are provided written documentation informing them of their rights under PREA in English and Spanish versions. Policy also requires the facility provide the inmate educational video in English and Spanish. Policy prohibits facility staff from relying on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise an inmate's safety, the performance of first-responder duties, or the investigation of an inmate's allegations. In such cases, facility staff are required to document the use of the inmate interpreter in an Incident Report.

**Evidence Relied Upon:**

Policy – 116.5 – Inmates with Disabilities or Limited English Proficiency, pg. 1-2

Translations Service Instructions

Request for Language Services Form

Language Line Service List of Languages

Acknowledgement Forms

PREA Posted Information

Butler County Inmate Sexual Abuse/Assault Prevention and Intervention Brochure

Comprehensive Education Video

Interviews with Staff

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The Auditor reviewed the Butler County Inmate Sexual Abuse/Assault Prevention and Intervention Brochure. The brochure is provided by the Intake Officer during the booking process. The brochure is written maintained in English and Spanish. The facility maintains PREA posters and other posted PREA materials written in English and Spanish posted throughout the facility, including living units. In the event the facility receives an inmate who is blind or has low vision the facility ensures a staff member reads the PREA information to the inmate. The facility will assign a staff member to ensure an inmate with intellectual or psychiatric disability understands the facility's PREA information through a one-on-one session with the inmate.

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

The Auditor viewed the facility's comprehensive educational video. The facility utilizes the PREA: What You Need to Know video published on the National PREA Resource Center's website. The facility's comprehensive educational video is maintained on a CD. The video is closed captioned for the deaf or hard of hearing. Comprehensive education is provided on

a one-on-one basis to inmates who have a disability which would restrict the inmate from otherwise benefiting from the educational video. All inmates are provided the informational brochure and offered the PREA video during the booking process. Each inmate is required to sign an acknowledgement form. The facility maintains a copy of the video in English and Spanish.

The Auditor reviewed 21 inmate files. All 21 inmates had signed an acknowledgement for receiving the PREA information during the booking process. During interviews with inmates the Auditor discovered most reported they had not seen the comprehensive educational video during the booking process at the BCDF. Those inmates informed the Auditor they refused to watch the video. After further conversation with the inmates the Auditor determined the inmate is offered the video and it is not mandatory to watch. The Auditor was able to determine those inmates were knowledgeable regarding sexual abuse and sexual harassment prevention, detection and response. The Auditor encountered several inmates who reported they have watched a PREA video at other facilities prior to transportation to the BCDF.

The Auditor interviewed an inmate identified with a cognitive disability. The inmate was provided written information during the booking process. The inmate stated he was offered a comprehensive education within 30 days of arrival. The inmate understands the agency's policies and procedures towards responding to incidents of sexual abuse and sexual harassment. The inmate knows his rights and understands how to report allegations of sexual abuse and sexual harassment. Staff allowed the inmate an opportunity to ask questions related to the sexual abuse and sexual harassment information provided.

The Auditor interviewed two inmates who were identified as Limited English Proficient. Both interviews were conducted utilizing the language line service. Each inmate was provided a brochure and offered the comprehensive education in a language they understood. Each inmate understands the agency's policies and procedures related to sexual abuse and sexual harassment. Each inmate understands how to report allegations of sexual abuse and sexual harassment. Each has seen the posted materials in the living unit. Both inmates reported the written information provided to them was in English and Spanish.

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

The Auditor determined all inmates interviewed were knowledgeable regarding the BCDF's sexual abuse and sexual harassment prevention, detection, and response policies. Most inmates informed the Auditor facility staff assist them when needed and take allegations of sexual abuse and sexual harassment seriously. Most inmates stated staff do not tolerate incidents of sexual abuse and sexual harassment. At the time of the audit there were no inmates who were deaf or blind for the auditor to interview.

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

**Conclusion:**

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

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility policy prohibits hiring or promoting anyone or enlisting the services of any contractor, who may have contact with inmates who:

- Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution; and
- Has been convicted of, or civilly or administratively adjudicated for, engaging or attempting to engage in sexual activity in the community facilitated by force, threats of force, or coercion, or if the victim did not consent or was unable to consent.

Agency policy requires considerations of any incident of sexual harassment in determining whether to hire or promote anyone, or to retain the services of any contractor, who may have contact with inmates. The policy requires a criminal background records check be conducted before hiring any new staff member who may have contact with inmates. Policy also requires the facility make its best efforts to contact prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. Policy requires the facility detective document attempts to contact prior institutional employers in a log. Criminal background records checks are required annually on employees and contract personnel who may have contact with inmates.

The facility asks all BCDF applicants and BCDF employees during a promotional process who may have contact with inmates directly about previous misconduct as listed above. Each candidate for employment and promotion must complete the Butler County Sheriff's Office, Prison Rape Elimination Act of 2003 Acknowledgement Form.

The facility's policy includes a continuing affirmative duty to disclose any acts of sexual misconduct as listed in the policy. The agency's policy stipulates material omissions regarding such misconduct, or the materially false information shall be grounds for termination. Policy requires the BCDF to provide information related to substantiated allegations of sexual abuse or sexual harassment involving a former employee to any institutional employer to whom the previous employee has applied to work.

**Evidence Relied Upon:**

Policy – 116.9 – Hiring and Promotion Practices pg. 1-2

Prison Rape Elimination Act of 2003 Acknowledgement Form

Background Investigator's Report

Prior Employer Questionnaire

Investigator's Report

Interviews with Staff

Interviews with Contractors

**Analysis/Reasoning:**

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

- "Have you engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution:
- Have you ever been criminally convicted or been given deferred adjudication for engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?
- Have you ever been civilly or administratively adjudicated for engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?
- Have you ever engaged or attempted to engage in any sexual abuse or harassment incidents including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature?"

Each potential candidate signs the Prison Rape Elimination Act of 2003 Acknowledgement Form which states, "Your

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

The Auditor verified the BCDF performed a criminal records background check on all its employees and contractors. The facility conducts these checks each year. The Auditor viewed the files of 35 staff members to verify the information was in their personnel file. Verification of a criminal record background check conducted prior to hiring was made by reviewing each record. When reviewing the records, the Auditor observed a checklist completed by the pre-employment investigator and a Prison Rape Elimination Act of 2003 Acknowledgment Form for each employee. The Auditor discovered five of the employees had previous experience in a confinement institution. Each employee file included an investigator's report noting contact with the previous employer. The Auditor observed evidence the facility is asking questions related to sexual abuse and sexual harassment prior to promotions. The facility had conducted a criminal background check and asked each employee about previous acts of sexual misconduct and harassment. Each employee completed an acknowledgement form prior to the promotion.

The Auditor viewed the records of contract personnel. A review of records revealed the facility conducted a background check prior to enlisting the services of contract personnel. The Auditor observed the facility did not ask each about previous acts of sexual misconduct and sexual harassment prior to performing services in the facility. The Auditor discussed the finding with the PREA Coordinator and command staff.

The Auditor conducted formal interviews with facility contractors. Contractors informed the Auditor they sign a document allowing the facility to conduct a criminal records background check. Each are aware the facility conducts these checks every year. Contractors stated they were not asked about previous acts of sexual abuse and sexual harassment prior to performing services in the facility.

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

**Corrective Action Required:**

The facility did not ask specific questions as bulleted above to contractors prior to enlisting services. The PREA Coordinator determined to utilize the Prison Rape Elimination Act of 2003 Acknowledgement Form to document such for each contractor. The PREA Coordinator was required to ensure all contractors acknowledge prior acts of sexual abuse and sexual harassment. The facility was required to send the Auditor completed samples.

**Corrective Action Taken:**

The PREA Coordinator sent the Prison Rape Elimination Act of 2003 Acknowledgement Form to each contractor. Each contractor completed the Prison Rape Elimination Act of 2003 Acknowledgement Form that requires contractors answer specific questions related to prior acts of sexual abuse and sexual harassment. Upon completion the PREA Coordinator sent all completed forms to the Auditor. The Auditor reviewed the forms and determined all facility contractors performing services in the facility had answered questions related to previous acts of sexual abuse and sexual harassment.

**Conclusion:**

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

115.18	<b>Upgrades to facilities and technologies</b>
	<p data-bbox="240 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1489 365">The BCSO has a policy to consider the effects of the design, acquisition, expansion, or modification on the agency's ability to protect inmates from sexual abuse when designing or acquiring any new facility and when planning any substantial expansion or modification of the existing facility.</p> <p data-bbox="240 396 1426 490">The BCDF is required by policy to consider the effects how technology may enhance the ability to protect inmates from sexual abuse when installing or updating a video monitoring system, electronic surveillance system or other monitoring technology.</p> <p data-bbox="240 521 1426 580">The Butler County Sheriff's Office reported it has not acquired any new facility or planned any substantial expansion or modification of the Butler County Detention Facility during this audit period.</p> <p data-bbox="240 611 488 640"><b>Evidence Relied Upon:</b></p> <p data-bbox="240 669 376 698">Observations</p> <p data-bbox="240 728 445 757">Interviews with Staff</p> <p data-bbox="240 786 464 815"><b>Analysis/Reasoning:</b></p> <p data-bbox="240 844 1474 969">The Butler County Sheriff's Office has not designed or acquired any new facility during this audit period. The BCSO has not planned any substantial expansion or modification of its existing facility during this audit period. The facility has not installed or updated its video monitoring system, electronic surveillance system, or other monitoring technologies during this audit period.</p> <p data-bbox="240 1001 1477 1126">The Auditor conducted a thorough tour of the facility and observed camera placements throughout each building. Each area of the facility appeared to be original construction. The BCDF has not added cameras since the last PREA audit. The facility has adjusted cameras to achieve a better view in several areas of the facility. The cameras were moved to view into identified blind spots.</p> <p data-bbox="240 1158 1469 1252">Interviews with command staff reveal they are aware of the requirement to consider the protection of sexual abuse when designing any new construction or before making substantial modifications to the current facility. No staff was aware of any modifications or updates to the facility during this audit period.</p> <p data-bbox="240 1283 1469 1408">The PREA Coordinator informed the Auditor she is involved in the decision making process when reviewing the need for video monitoring considerations. The facility head informed the Auditor he involves the PREA Coordinator during and video monitoring decisions. The facility head stated the PREA Coordinator would be involved during any substantial expansion or modifications of the current facility.</p> <p data-bbox="240 1440 376 1469"><b>Conclusion:</b></p> <p data-bbox="240 1498 1474 1659">The agency has not made substantial modifications of the Butler County Detention Facility or video monitoring technologies at the facility in the past 12 months. The facility changed the location of several cameras to view into otherwise identified blind spots. The facility's command staff is aware of the requirement to consider sexual abuse and sexual harassment protections when planning for modifications, expansions or video monitoring updates. The Auditor determined the agency meets the requirements of this standard.</p>

115.21	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>The Butler County Sheriff's Office has a policy that requires all victims of sexual abuse access to forensic medical examinations at the Butler County Detention Facility, at no cost to the inmate victim. Forensic medical examinations are conducted by a Sexual Assault Nurse Examiner at the Via-Christi St. Joseph's Hospital. Policy requires victim advocacy from a rape crisis center. The facility's policy requires the facility Detective contact the hospital when an inmate is discovered to have been victimized in a time that allows for collection of forensic evidence. The facility's policy stipulates that time is within 72 hours from the incident occurrence. The Detective is responsible for determining the likelihood of forensic evidence when the facility learns of the incident occurrence beyond 72 hours.</p> <p>The agency's policy places responsibility of conducting criminal and administrative investigations with the assigned facility Detective. The agency's policy allows a victim advocate to accompany and support a victim through the forensic medical examination process and investigatory interviews if requested by the victim.</p> <p>The facility's evidence collection protocol is included in policy 116.12. The protocol includes steps to take when taking photographs, drying, packaging, labeling and sealing evidence, evidence preservation and the transfer of evidence.</p> <p><b>Evidence Relied Upon:</b></p> <p>Policy - 116.16 - Investigation of Incidents and Notifications, pg. 3</p> <p>Policy – 116.12 – Coordinated Response to Report of an Incident of Sexual Abuse/Evidence Protocol pg. 1-6</p> <p>Policy – 116.14 – PREA: Medical and Mental Health Services pg. 1-2</p> <p>Sexual Abuse Response Checklist</p> <p>MOU with Family Life Center – Safehouse</p> <p>Interview with Investigator</p> <p>Interview with Medical Practitioner</p> <p>Interview with SANE</p> <p><b>Analysis/Reasoning:</b></p> <p>The Butler County Detention Facility conducts administrative and criminal investigations of allegations of sexual abuse and sexual harassment. The facility has a Detective from the Butler County Sheriff's Office assigned on a fulltime basis. The facility's Detective conducts criminal and administrative investigations into allegations of sexual abuse and sexual harassment. Facility staff are required to protect the crime scene while the Detective is required to process and collect evidence from the scene. The Detective utilizes a uniformed evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. The Detective is a sworn law enforcement officer with the Butler County Sheriff's Office and has the power to arrest in the jurisdiction.</p> <p>The facility transports inmates to the Via-Christi St. Joseph's Hospital for forensic evidence collection. Forensic examinations are performed by a certified Sexual Abuse Nurse Examiner at the hospital. The SANE is required to provide an assessment, documentation, and collect evidence following the sexual assault of BCDF inmates. The hospital is located just minutes (driving time) from the facility. The SANE follows a uniform evidence protocol and chain of custody when performing forensic evidence collection. Evidence is provided to the facility detective for submission to the crime lab.</p> <p>The facility maintains an MOU with a local rape crisis center. The MOU with the Family Life Center - Safehouse stipulates the Butler County Sheriff's Office will:</p> <ul style="list-style-type: none"> <li>• Allow an offender victim to contact the Family Life Center – Safehouse for rape crisis response to sexual abuse allegations;</li> <li>• Understand that advocacy work performed by the Family Life Center – Safehouse is confidential and that the agency follows confidentiality regulations under the Violence Against Women Act; and</li> <li>• Understand that the Family Life Center – Safehouse can only release information when allowed through a written, time limited consent form with the Family Life Center – Safehouse is signed.</li> </ul> <p>The MOU with the Family Life Center – Safehouse stipulates the Family Life Center - Safehouse is responsible for:</p>

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

The facility utilizes a Sexual Abuse Response Checklist following an incident of sexual abuse. The checklist includes tasks that are required for initial responders, facility supervisors, agency detective and facility administrator. The checklist requires the date, time, employee name and ID following completion of each task. Facility supervisors are required to escort the alleged victim to the infirmary for examination by medical staff. Supervisors are required to ensure transportation to the hospital emergency room for further treatment, collection of clothing, and forensic evidence. The checklist requires the supervisor to contact the Butler County Safehouse and request the assistance of a victim advocate. The agency detective is required to collect and preserve any evidence.

The Auditor conducted an interview with the facility Detective. The Detective was asked if a victim advocate can accompany a victim during his investigatory interviews. The Detective stated he would allow the victim advocate to accompany the victim. The Detective explained he collects evidence in the crime scene while the SANE collects forensic evidence and turns the evidence over to him. The Detective has the authority to place criminal charges on an inmate or staff abuser. In the event criminal charges are placed on the victim, the Detective informs the victim of such. The Detective remains informed throughout the prosecution process so the victim can be updated and informed. The Detective informed the Auditor evidence collection is in accordance with nationally accepted protocols. The Detective explained he has received training to conduct sexual abuse investigations in confinement settings. The Auditor verified this by reviewing the Detective's training certificate.

The Auditor conducted a telephone interview with a Sexual Assault Nurse Examiner. The Auditor asked if the facility has contacted her officer for a forensic examination of an inmate in the past 12 months. The SANE informed her staff have not conducted a forensic examination for a BCDF inmate in the previous 12 months. The SANE explained forensic examinations are conducted at the hospital. The SANE stated victim advocates are allowed to accompany the victim during a forensic examination, when requested by the victim. The Auditor asked if a police investigator questions the victim during the examination. The SANE informed an investigator can question the victim following the examination.

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

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

**Conclusion:**

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

115.22	<b>Policies to ensure referrals of allegations for investigations</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p>The Butler County Sheriff's Office policy mandates an administrative or criminal investigation be completed for all allegations of sexual abuse and sexual harassment. The BCSO policy requires the BCDF Detective conduct criminal investigations and investigations where a staff member is alleged as the perpetrator. The Detective is also required to conduct a review of all investigatory documents written by a BCDF supervisor who conducts investigations.</p> <p>The facility detective is a sworn law enforcement official with the Butler County Sheriff's Office. The detective has the legal authority to conduct criminal investigations in the jurisdiction.</p> <p><b>Evidence Relied Upon:</b></p> <p>Policy – 116.16 – PREA Investigation of Incidents and Notifications pg. 1-3</p> <p>Agency Website</p> <p>Investigative Reports</p> <p>Interview with Investigators</p> <p>Interview with Inmates</p> <p><b>Analysis/Reasoning:</b></p> <p>The Auditor reviewed the Butler County Detention Facility website. The website includes a link to the agency's policies regarding the conduct of investigating allegations of sexual abuse and sexual harassment. The agency's Detective has the legal authority to conduct criminal investigations. The Detective has the authority to criminally charge an inmate or staff member. The BCDF Detective is a sworn law enforcement officer. When prosecution is warranted, the BCDF Detective coordinates with the local prosecutor with an Affidavit.</p> <p>In the past 12 months the Butler County Detention Facility had no incidents referred for criminal investigation. The facility conducted sixteen administrative investigations. The facility utilizes a full-time detective to investigate all allegations in the facility. The detective is a sworn law enforcement officer and consults with the prosecuting attorney when he determines an allegation is criminal in nature.</p> <p>The Auditor conducted a formal interview with the facility detective. The detective stated he was assigned to the facility to investigate all allegations in the facility. He stated if he determines an allegation is criminal in nature and there is sufficient evidence to support prosecution, he consults with the prosecuting attorney. The detective stated all allegations made in the facility are referred to him for investigation. The detective informed the Auditor no outside agency is required to conduct investigations in the facility.</p> <p>There are three staff members at the Butler County Detention Facility who have received specialized training to conduct sexual abuse investigations in a confinement setting. Most investigations are conducted by the facility detective. The Butler County Sheriff's Office Detective informed the Auditor he has conducted most investigations since being assigned to the facility. The other two staff will conduct an investigation if the facility detective is away from the facility. The Auditor verified all allegations reported by inmates had been investigated. The Auditor reviewed ten investigative reports.</p> <p>At the time of the audit there was one inmate housed at the facility who had filed an allegation. The Auditor conducted a formal interview with the inmate. The inmate stated he met with the facility detective quickly after making the allegation. The allegation did not appear to be criminal in nature and was not criminally investigated. The detective conducted an administrative investigation.</p> <p>No separate entity is responsible for conducting criminal investigations of sexual abuse or sexual harassment in the Butler County Detention Facility.</p> <p><b>Conclusion:</b></p> <p>The Auditor concluded the Butler County Detention Facility is appropriately referring all allegations of sexual abuse and sexual harassment for investigation. The Detective assigned to the facility has the legal authority to conduct criminal investigations. After reviewing agency policies and procedures, facility website, investigative reports and interviewing inmates and staff the Auditor determined the facility meets the requirements of this standard.</p>

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility's policy stipulates employees receive the following training:

- The zero-tolerance policy for sexual abuse, sexual harassment and retaliation;
- How employees shall fulfill their responsibilities regarding prevention, detection, reporting, and response to sexual abuse and sexual harassment;
- Inmates' right to be free from sexual abuse and sexual harassment;
- The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- The dynamics of sexual abuse and sexual harassment in confinement;
- Common reactions of sexual abuse and sexual harassment victims;
- How to detect and respond to signs of threatened and actual sexual abuse;
- How to avoid inappropriate relationships with inmates;
- How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

The agency's policy requires staff receive refresher training every two years to ensure staff know the agency's current sexual abuse and sexual harassment policies and procedures. In years in which a staff member does not receive refresher training the BCDF provides refresher information on current sexual abuse and sexual harassment policies. The BCDF provides initial PREA training during an employee's orientation training. The facility's current practice is to provide PREA training on an annual basis as required by the Immigration Customs Enforcement standards as the facility houses ICE detainees. All employees are required to sign a PREA Employee Training Acknowledgement Form at the conclusion of attending training.

The Butler County Detention Facility's training is required to be tailored to meet the needs of both male and female inmates. Training is not required when a staff member is reassigned from one facility that houses only male inmates to a facility that houses female inmates as the training was designed to address both male and female inmates. The Butler County Detention Facility houses both male and female inmates and only operates one facility.

**Evidence Relied Upon:**

Policy – 116.21 – PREA: Training and Education of Staff pg. 1-3

PREA Employee Training Acknowledgement Forms

Training Curriculum

Butler County Training Reports

Individual Training Reports

PREA Training PowerPoint Presentation

Interviews with Staff

**Analysis/Reasoning:**

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

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

- The Butler County Detention Facility's zero-tolerance policy for sexual abuse and sexual harassment;
- Employees' responsibilities pertaining to agency policies regarding sexual abuse and sexual harassment prevention, detection, reporting, and response;
- Inmates' right to be free from retaliation for reporting sexual abuse and sexual harassment;

- Staff may privately report allegations or incidents of sexual abuse/assault or harassment;
- The dynamics of sexual abuse and sexual harassment in confinement;
- The common reactions of sexual abuse and sexual harassment victims;
- How to detect and respond to signs of threatened and actual sexual abuse;
- How to avoid inappropriate relationships with inmates;
- How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates;
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities; and
- How to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

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

Following the onset of COVID-19 the PREA Coordinator created a written manual to train staff. The manual is 89 pages and was provided to each staff member. At the conclusion of the self-paced training each staff member was required to sign the acknowledgement form. The Auditor reviewed the manual and determined all bulleted items above were included in the manual, in addition to other sexual abuse and sexual harassment information.

The Auditor reviewed Butler County and Individual Training Reports. Verification was made that each employee at the Butler County Detention Facility received initial PREA training. The Auditor observed records that each employee receives PREA training on an annual basis. Most staff interviewed by the Auditor had completed training in 2022. Multiple staff members informed the Auditor they receive more than one PREA training each year.

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

**Conclusion:**

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

115.32	<b>Volunteer and contractor training</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>The Butler County Detention Facility has a policy which requires all volunteers and contractors who have contact with inmates receive training regarding their responsibilities under the BCDF's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. The level and type of training provided to volunteers and contractors is based on the services provide and the level of contact they have with inmates. The policy requires all volunteers and contractors who have contact with inmates be notified of the BCDF's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report such incidents. Policy requires documentation be maintained confirming each volunteer and contractor understands the training they have received.</p> <p><b>Evidence Relied Upon:</b></p> <p>Policy – 116.21 – PREA: Training and Education of Staff pg. 3</p> <p>Butler County Detention Facility Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors</p> <p>Volunteer and Contractor Signed Training Records</p> <p>Interviews with Contractors</p> <p><b>Analysis/Reasoning:</b></p> <p>The Auditor conducted a review of the Butler County Detention Facility Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors. This four-page guide is utilized by the PREA Coordinator to conduct training for all volunteers and contractors. The guide includes the following sections:</p> <ul style="list-style-type: none"> <li>• Introduction;</li> <li>• Zero-Tolerance;</li> <li>• Detecting Sexual Abuse and Sexual Harassment;</li> <li>• How to Report Sexual Abuse or Sexual Harassment; and</li> <li>• Maintaining Professional Relationships with Inmates.</li> </ul> <p>Each volunteer and contractor are required to sign the acknowledgement of training received. The acknowledgement reads as follows, "I certify that as a volunteer, or contract employee of the Butler County Detention Facility, understand my responsibilities under the Butler County Detention Facilities sexual abuse and sexual harassment prevention, detection, and response policies and procedures."</p> <p>The facility currently has 41 volunteers and 12 contractors who may have contact with inmates. The Auditor reviewed acknowledgement forms and verified each received the training and signed the acknowledgement form. The Auditor conducted interviews with contractors. Each informed the auditor they had received PREA training by the facility. Each remembered signing the acknowledgement form. Each volunteer and contractor are provided the Butler County Detention Facility Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors prior to providing services in the facility. Interviews with contractors revealed they are knowledgeable regarding the agencies policies and procedures and understood how to report allegations and information related to sexual abuse and sexual harassment.</p> <p>Since the onset of COVID-19 the facility's volunteer programs have been limited. During the previous 12 months volunteer services were suspended multiple times. The Auditor did not interview a volunteer as there were no volunteers performing services at the time of the audit.</p> <p><b>Conclusion:</b></p> <p>The Auditor concluded the facility is appropriately training volunteers and contractors and the facility maintains documentation of the training. The Auditor determined through a review of agency policies, procedures, training materials, signed acknowledgements and interviewing contractors the BCDF meets the requirements of this standard.</p>

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

It is the policy of the Butler County Detention Facility to provide inmates with information explaining BDCF's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The policy requires each inmate receive a comprehensive education either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and BDCF policies and procedures for responding to such incidents. The comprehensive education is required within 30 days of booking. Staff are to ensure inmates sign the Inmate PREA Training Voucher and file it in their booking record. If inmates refuse to sign the voucher the staff member is required to document the refusal on the voucher.

The BDCF's policy requires education be provided in formats accessible to all inmates, those who are Limited English Proficient (LEP), deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. Policy requires the facility ensure key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats.

**Evidence Relied Upon:**

Policy – 116.22 – Inmate Orientation and Education pg. 1

Policy – 116.5 – PREA: Inmates with Disabilities or Limited English Proficiency pg. 1-2

Butler County Inmate Sexual Abuse/Assault Prevention and Intervention Brochure

Inmate PREA Training Vouchers

PREA Posters

Inmate Handbook

Language Line Services Contract

Inmate Records

Interviews with Staff

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The Intake Officer provides each inmate a Sexual Abuse/Assault Prevention and Intervention brochure during the booking process. The facility maintains this brochure in English and Spanish versions. The Auditor reviewed the facility's brochure. The Butler County Inmate Sexual Abuse/Assault Prevention and Intervention Brochure includes the following topics:

- What is sexual abuse/assault;
- Your Right to be safe from sexual assault;
- Confidentiality;
- What to do if you are assaulted;
- How to report an incident of sexual assault;
- Seek medical help;
- Understand the Investigative Process;
- Counseling programs for victims of sexual assault;
- About your safety;
- Avoiding sexual assault; and
- Remember.

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

- How to report allegations of sexual abuse and sexual harassment;

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

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

The Auditor randomly chose 10 inmates and specifically targeted 10 inmates for formal interviews. The Auditor asked the PREA Coordinator to provide copies of all 20 inmate booking records. In addition, the Auditor requested the booking record of one transgender housed within the previous 12 months. The Auditor reviewed each record for the Inmate PREA Training Voucher. The Auditor determined most inmates interviewed refused to watch the comprehensive educational video. Those inmates were required to read and sign the Inmate PREA Training Voucher. The Auditor was able to determine those inmates who refused to watch the comprehensive educational video were fully aware of the facility's policies and procedures regarding sexual abuse and sexual harassment. Some inmates were transported from another facility and had previously been educated in sexual abuse and sexual harassment at the other facilities. Each inmate is given an opportunity to ask questions regarding sexual abuse and sexual harassment during the booking process.

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

The Auditor conducted formal and informal interviews with randomly chosen inmates. Inmates informed the Auditor they were offered an opportunity to watch a video and was provided a brochure which included the facility's rules relating to sexual abuse and sexual harassment upon arrival at the facility. Most inmates informed the Auditor they refused to watch the video because they had previously seen it at another institution. Some inmates stated they are not interested in the information.

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

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

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

The Auditor asked classification staff how the information is provided to inmates with a cognitive disability. The Auditor was informed the information is read to those offenders. Classification staff stated they ask questions and relay the information to the inmate in a manner they can understand. If need be, classification staff involve mental health personnel in the process.

The Auditor conducted a formal interview with one inmate identified with a cognitive disability. The inmate stated he received

written information during the booking process. The inmate informed the Auditor he was offered to watch the PREA video. The inmate understands his rights, knows how to report allegations of sexual abuse and sexual harassment and understands the facility has a zero tolerance towards such acts.

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

At the time of the audit there were no inmates identified as deaf, hard of hearing, with low vision or blind.

**Conclusion:**

The Auditor concluded the inmate population at the Butler County Detention Facility was educated in the agency's zero tolerance policy, how to report allegations, rights to be free from sexual abuse, sexual harassment, retaliation, and the agency's policies and procedures for responding to such. The facility maintains appropriate documentation of such in each inmate's classification record. The Auditor reviewed agency policies, procedures, booking and classification records, educational video, brochure, made observations and interviewed staff and inmates to determine the facility meets the requirements of this standard.

The Auditor made a recommendation to the facility not to allow inmates the option of watching the comprehensive video. The Auditor discussed the possibility of the facility playing the video then have the inmate sign the form acknowledging they have seen the video.

115.34	<b>Specialized training: Investigations</b>
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

The agency's policy requires investigators receive specialized training before conducting sexual abuse investigations. The policy requires investigators receive the general PREA training provided to all facility employees. Policy stipulates the training include the following:

- 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.

Policy requires documentation be maintained that each Investigator has completed the required specialized training.

**Evidence Relied Upon:**

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

Investigator's Training Record

Training Curriculum

Investigative Reports

Interview with Detective

**Analysis/Reasoning:**

At the time of the audit the agency had three staff who had received specialized training to conduct Sexual Abuse Investigations in a confinement setting. There is one agency investigator assigned to the facility to investigate sexual abuse and sexual harassment allegations. The Auditor conducted a review of the training records of the three trained investigators. Each investigator attended specialized training to conduct sexual abuse investigations in confinement settings. In addition to the assigned detective, two facility investigators have been trained to conduct investigations in the absence of the detective.

The Auditor conducted a review of the specialized training for investigators in confinement settings curriculum. The Detective completed an online training seminar titled, "PREA: Investigating Sexual Abuse in a Confinement Setting." Another facility investigator completed the same training while the remaining investigator completed a course titled, "Prison Rape & Assault Investigations Inside Correctional Facilities." Each training course includes the topics as bulleted above in the "Auditor Discussion" section of this standard. A review of training records revealed each investigator has attended the PREA training and refreshers offered to all Butler County Sheriff's Office personnel.

The Auditor conducted a formal interview with the detective. The Auditor asked the Detective to explain the training he received to conduct sexual abuse investigations in a confinement setting. The Detective was able to articulate the topics as bulleted above. The Detective is knowledgeable regarding the requirements of conducting sexual abuse investigations. The Auditor asked the Detective to explain the process he uses when conducting investigations. He explained he interviews the victim, aggressor and witnesses, reviews inmate records, collects evidence, and reviews available video surveillance. The Detective coordinates any possible criminal prosecutions with the prosecutor. The detective informed the Auditor he receives regular PREA training each year at the facility. The Auditor determined the detective is knowledgeable in the topics bulleted above in the "Auditor Discussion" portion of this standard.

The facility received three allegations of sexual abuse and 13 allegations of sexual harassment in the previous 12 months. The Auditor reviewed ten investigative reports. At the time of the audit there was one sexual abuse allegation pending against a staff member. None of the allegations received in the previous 12 months required a forensic examination. A review of written investigative reports appear to support the documentation indicating investigators have been appropriately trained to conduct sexual abuse investigations in confinement settings.

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

**Conclusion:**

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility's policy requires all medical and mental healthcare practitioners who work regularly in the facility are trained in the following:

- How to detect and access signs of sexual abuse and sexual harassment;
- How to preserve physical evidence of sexual abuse;
- How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
- How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

The Butler County Detention Facility contracts its medical services with Advanced Correctional Healthcare (ACH). The BCDF requires all regular medical and mental healthcare practitioners receive training mandated for contractors. The facility is required to maintain documentation it provided such training.

Medical practitioners at the facility do not conduct forensic examinations and therefor are not required to be trained to do so.

**Evidence Relied Upon:**

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

Training Curriculum

Interviews with Medical and Mental Healthcare Practitioners

Medical Personnel Training Records

Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors

**Analysis/Reasoning:**

Medical services at the Butler County Detention Facility are contracted with Advanced Correctional Healthcare (ACH). Medical personnel at the BCDF are considered contract employees. All medical and mental healthcare practitioners are required to complete specialized medical training. The Auditor reviewed the training records of all medical and mental healthcare practitioners. A review of the records indicated all medical and mental health practitioners received the specialized medical training and the regular PREA training offered to all employees.

The specialized medical training conducted was developed by ACH personnel and is conducted during the new personnel orientation. Each medical and mental healthcare practitioner completed the specialized medical training and was required to pass a test. The Auditor observed the following topics within the ACH PowerPoint presentation:

- Reporting requirements;
- How to detect and assess signs of sexual abuse and sexual harassment;
- Preservation of physical evidence of sexual abuse; and
- Professional response to victims.

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

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

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

**Conclusion:**

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility policy requires an assessment of each inmate during the intake process. Policy requires a completely new assessment each time an inmate returns to the facility and not rely on assessment information from prior incarcerations. The assessment is conducted to assess the inmate's risk of being sexually abused by other inmates or sexually abusive toward other inmates. The BCDF enters the information from the assessment electronically in the offender management system. The classification assessment screening tool is objective and considers the following:

- Whether the inmate has a mental, physical, or developmental disability;
- The age of the inmate;
- The physical build of the inmate;
- Whether the inmate has previously been incarcerated;
- Whether the inmate's criminal history is exclusively nonviolent;
- Whether the inmate has prior convictions for sex offenses against an adult or child;
- Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming;
- Whether the inmate has previously experienced sexual victimization;
- The inmate's own perception of vulnerability to sexual abuse or sexual harassment; and
- Whether the inmate is detained solely for civil immigration purpose.

The screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to BCDF, in assessing inmates for risk of sexual abusiveness.

The agency has a policy that requires the inmate's risk of victimization or abusiveness be reassessed within 30 days of the inmate's arrival date. The agency's policy also requires classification staff to reassess an inmate's risk of victimization or abusiveness when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

The BCDF prohibits disciplining an inmate for refusing to answer, or for not disclosing complete information related to:

- Whether the inmate has a mental, physical, or developmental disability;
- Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- Whether the inmate has previously experienced sexual victimization; and
- Inmate's perception of his/her own vulnerability to sexual abuse or sexual harassment.

Policy places limits on the dissemination of information obtained on the risk assessment to limit the exploitation of sensitive information. The information obtained on the screening may only be disseminated to key staff. Policy states BCDF staff will not discuss inmate assessment answers except in a professional capacity and only then to ensure proper determinations about how to ensure the safety of each inmate.

**Evidence Relied Upon:**

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

Intake Screening Questionnaire

30-Day Reassessments

Classification Records

Interviews with Staff

Interviews with Inmates

**Analysis/Reasoning:**

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

- Mental, physical, and developmental disabilities;
- Ages of the inmate;
- Physical build of the inmate;

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

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

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

The Classification Officer meets with and conducts a screening of each inmate who enters the facility. The Classification interviews are conducted where other inmates cannot hear the interview taking place. The Classification Officer asks each inmate the risk assessment questions and calculates the score to determine the inmates risk level. Classifications typically occur within 24 hours of arrival. All inmate classifications occur within 72 hours. Classification allows an inmate to ask questions and consider each inmate's own input regarding their safety in the facility.

The Auditor reviewed the risk screenings of 20 inmates who were chosen by the Auditor to participate in formal interviews and one transgender who was housed at the facility during the previous 12 months. The Auditor observed all 21 inmates had been appropriately screened upon arrival. Utilizing the same 21 offender records, the Auditor discovered staff had conducted re-assessments of each inmates' level of risk for victimization and abusiveness.

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

The Auditor asked the Classification supervisor who has access to information obtained from the risk screening process. The Auditor was informed the information obtained during the risk screening is accessible to supervisors, investigators and medical and mental health professionals. Information from the risk screening is electronically entered into the agency's offender management system. Each agency staff member has a uniquely issued username and password to gain access. Staff is provided different levels of access (based on job duties) to information in the system.

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

The facility does not conduct a re-assessment of vulnerability and aggressiveness upon transfer to another facility. The Butler County Sheriff's Office operates one facility.

**Conclusion:**

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility policy is to use information from the risk screening to inform housing, bed, work, education, and programming assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. Policy stipulates individualized determinations be made to ensure the safety of each inmate.

The facility is required by policy to consider on a case-by-case basis in deciding whether to assign a transgender or intersex inmate to a male or female housing unit and when making housing and program assignments. BCDF considers security and management problems when determining placement of transgender and intersex inmates. Transgender and intersex inmates' own views with respect to safety are seriously considered when determining placement.

Policy requires a reassessment of each transgender and intersex inmate at least twice each year to review any threats to safety experienced by the inmate. Policy requires transgender and intersex inmates be given the opportunity to shower separately from other inmates.

The agency's policy stipulates lesbian, gay, bisexual, transgender, or intersex inmates will not be placed in a dedicated facility, unit, or wing solely based on such identification or status, unless pursuant to a legal settlement.

**Evidence Relied Upon:**

Policy – 116.6 – Screening of Inmates and Use of Information Obtained to inform Housing Assignment pg. 2-4

Intake Screening Questionnaire

Classification Records

Interviews with Inmates

Interviews with Staff

Observations

**Analysis/Reasoning:**

The Auditor reviewed 21 offender classification records. One of the inmates housed within the previous 12 months identified as transgender. The Auditor observed four inmates identified as gay. Neither the transgender nor gay inmates were placed in a dedicated housing unit. The classification records reveal facility staff made appropriate individualized considerations when determining housing, bed, work and other assignments to ensure the safety of each inmate. During random interviews with inmates the Auditor discovered several inmates who identified as gay or lesbian but did not inform facility staff during the booking process. The Auditor asked each of them if they were treated any differently or placed in a dedicated housing unit for gay or lesbian. The Auditor was informed the inmates were not treated differently by staff. A review of the transgender's record revealed the facility conducted appropriate reviews at least each six months.

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

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

The Auditor reviewed the files of inmates who reported suffering sexual victimization while in the community and in an institutional setting. The Auditor conducted formal interviews with inmates who reported suffering sexual victimization. Each was asked if they have been housed in the same living unit with known sexual abusers. They reported to the Auditor they

were housed separately from abusers. The Auditor asked during interviews if any of the inmates attended programs, education, or work with the alleged abuser. The victimized inmates reported they were maintained separately from abusers during programs, education, and work. The Auditor interviewed an inmate who made an allegation in the previous 12 months. The inmate informed the Auditor he and the alleged abuser were separated and have been separated since the allegation.

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

The Auditor asked classification staff how often a transgender inmate's placements are reviewed. Classification reported they review assignments biannually or more often if needed. The Auditor asked if all LGBTI inmates are placed in dedicated living units in the BCDF and was informed they are not housed as such. The Auditor asked classification staff if mental health practitioners have any input on transgender reviews. Classification reported mental health practitioners do have input during biannual reviews. At the time of the audit there were no inmates housed who identified as transgender or intersex.

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

At the time of the Audit there were no inmates identified at high risk of sexual victimization placed involuntarily in segregation for his/her protection against sexual abuse. At the time of the audit the facility was not under a consent decree, legal settlement, or legal judgement for the purpose of protecting lesbian, gay, bisexual, transgender or intersex inmates.

**Conclusion:**

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility prohibits placing offenders at high risk for sexual victimization in special housing without their consent unless an assessment of all available alternatives has been made, and a determination has been made that there are no available alternative means of separation from likely abusers. The policy allows the facility to hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment if BCDF cannot conduct the assessment immediately. Any inmate placed in involuntary segregated housing for the purpose of protective custody must have access to programs, privileges, education, and work opportunities to the fullest extent possible. Policy requires the following information be documented when restrictions to access to programs, privileges, education and work opportunities are enacted:

- The opportunities that have been limited;
- The duration of the limitations; and
- The reason for such limitations.

BCDF inmates may only be assigned to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged. The policy stipulates the assignment not ordinarily exceed a period of 30 days. Butler County Detention Facility staff are required to document the basis for the facility's concern for the inmate's safety and the reason why no alternative means of separation can be arranged. Policy requires a review be conducted every 30 days to determine if there is a continuing need for separation from the general population.

**Evidence Relied Upon:**

Policy – 116.8 – Protective Custody and Segregated Housing pg. 1-2

Interviews with Staff

Interview with Inmates

Classification Records

Housing Roster

Observations

**Analysis/Reasoning:**

The Auditor reviewed the facility's Alert Listing roster and observed five inmates identified at high risk for sexual abusiveness. There were no inmates identified at high risk of sexual victimization. The Auditor conducted a formal interview with one of the inmates identified at high risk for sexual abusiveness. The Auditor was unable to interview an inmate who had been identified at high risk of sexual victimization as there were no inmates identified as such at the time of the audit. The Auditor reviewed the housing roster and classification records of those housed in segregated housing during the audit and determined none of the inmates in segregated housing were identified at high risk of sexual victimization.

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

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

high risk of sexual victimization.

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

The Auditor conducted an interview with one inmate who alleged an incident within the previous 12 months. The Auditor asked the inmate if his living unit assignment had changed since making the allegation. The inmate stated his living unit was not changed after making the allegation. The alleged victim was removed from contact with the alleged victim. The alleged victim was not placed in segregated housing to protect him from sexual abuse.

The Auditor conducted formal interviews with inmates who identified as gay/bisexual. Each was asked if they had been placed in a housing unit with a known sexual abuser, or an inmate identified at high risk for sexual abusiveness. None stated they were aware of such in their assigned housing units.

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

**Conclusion:**

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

115.51

**Inmate reporting**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility policy is to provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Inmates at the Butler County Detention Facility may report allegations of sexual abuse and sexual harassment in the following ways:

- Verbally informing any BCDF staff member, volunteer or contractor;
- Submitting a report in writing to any BCDF staff member, volunteer or contractor;
- Through the facility’s inmate Kiosk system available in each housing unit;
- Write a letter to the facility Chaplain, Sheriff or Undersheriff, or PREA Coordinator;
- Tell a friend or family member to report on their behalf;
- Submit a sick call request; and
- Call the Family Life Center - Safehouse

The agency provides inmates the option of reporting sexual abuse and sexual harassment to an outside organization through the inmate telephone system with a quick dial option. Agency policy requires employees to accept and immediately report and document inmate reports of sexual abuse or sexual harassment, retaliation, staff neglect or violations of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment. Staff are required to accept reports made verbally, those made third-party and anonymous reports of sexual abuse.

The Auditor observed posted material in each inmate living unit for those detained solely for immigration purposes to be able to contact their relevant consular official.

**Evidence Relied Upon:**

Policy – 116.11 – Procedures/Rules for Reporting Sexual Abuse and Sexual Harassment pg. 1-2

Butler County Inmate Sexual Abuse/Assault Prevention and Intervention brochure

Posted PREA Materials

Inmate Handbook pg. 21

Consulate Posters

MOU with Family Life Center - Safehouse

Investigative Records

Training Curriculum

Staff Training Records

Investigative Records

Interviews with Staff

Interviews with Inmates

**Analysis/Reasoning:**

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

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

accept and forward reports of sexual abuse and sexual harassment to the facility, maintaining confidentiality and anonymity of the inmate upon request.

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

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

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

The Auditor conducted formal interviews with inmates. The Auditor asked each inmate to explain the avenues the facility has for reporting an allegation of sexual abuse or sexual harassment. The inmates interviewed by the Auditor explained they can inform any staff member, call a hotline number, submit a grievance, request, use the Kiosk, and/or have someone else make a report for them. The Auditor asked each if there is a staff member, they felt confident they could report an allegation of sexual abuse or sexual harassment to. Each stated there is staff they can make an allegation to and they are confident the incident would be dealt with appropriately. Most inmates feel staff would maintain confidentiality with the information. The Auditor asked each inmate if they are able to make an allegation without having to give their name. Most inmates interviewed understand they can make an allegation anonymously.

The Auditor reviewed investigative records from the previous 12 months. Investigative records included Incident Reports submitted by staff. A review of records revealed staff are verbally reporting allegations to supervisors and submitting an Incident Report of the allegation made. The Auditor conducted an interview with the facility's Detective. The Detective informed the Auditor he has conducted investigations into allegations that were made by third-party. The Auditor reviewed evidence staff are accepting verbal reports and submitting Incident Reports of the verbal allegation. Investigative records reveal staff are immediately informing their supervisors and investigations are completed promptly and thoroughly. The facility has received and investigated allegations made through the Safehouse hotline.

During a tour of the facility the Auditor observed materials posted in each living unit and in service areas of the facility. Materials posted inform inmates how to report allegations of sexual abuse and sexual harassment. The Auditor observed posters informing ICE detainees how to directly contact the Office of Inspector General to report allegations. Each living unit maintained a poster informing ICE detainees how to contact relevant consulate officials. The facility has not housed an ICE detainee during this audit period.

The Auditor tested the reporting mechanism available to the inmate population. The Auditor dialed the telephone number to the Family Life Center – Safehouse. The telephone system does not require a designated PIN. The safehouse answered the telephone call immediately.

**Conclusion:**

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility is not exempt from this standard as it does have a policy that addresses inmate grievances. BCDF policy does not impose a time limit when inmates may file a grievance alleging sexual abuse. When submitting a grievance alleging sexual abuse an inmate is not required by policy to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. The Auditor observed nothing in BCDF policy that restricts the agency's ability to defend against a lawsuit on the grounds that the applicable statute of limitations has expired.

The BCDF does not require an inmate wishing to submit a grievance alleging sexual abuse against a staff member to submit the grievance to the staff member who is the subject of the complaint. The BCDF prohibits such grievances from being referred to a staff member who is the subject of the complaint.

BCDF policy requires a final decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance. The 90-day time period may not include time consumed by the inmate in preparing any administrative appeal. Staff are required to provide an initial response to an emergency grievance within 48 hours and issue a final decision within 5 calendar days. Policy requires both the initial response and final decision document BCDF's determination of whether the inmate is at substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance; as well as that such actions were taken within required timelines.

Policy allows for an extension for up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The inmate must be notified in writing of any such extension and provide a date by which a decision shall be made. Policy stipulates at any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.

The BCDF allows third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of the inmate. The agency requires a condition of processing the request that the alleged victim agree to have the request filed on his/her behalf. The alleged victim must personally pursue subsequent steps in the administrative remedy process. When an inmate declines to have the request processed on his/her behalf, the facility documents the inmate's decision.

**Evidence Relied Upon:**

Policy – 116.7 – Protection of Inmates Facing Substantial Risk and Emergency Grievances and Grievances pg. 1-2

Policy – 116.11 – Procedures/Rules for Reporting Sexual Abuse and Sexual Harassment pg. 2

Inmate Handbook pg. 21

Interviews with Staff

Interviews with Inmates

Investigative Records

**Analysis/Reasoning:**

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

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

The Auditor conducted formal interviews with inmates. The Auditor asked each inmate if they can file a grievance if they feel they are at risk of imminent sexual abuse. The inmate population is aware they can file such a grievance. The Auditor asked each inmate interviewed if he/she filed a grievance alleging an imminent risk of sexual abuse. The inmates are aware of the

grievance process and no inmate interviewed had done so. Most inmates stated they would report an allegation directly to a staff member. Some inmates informed the Auditor they would file an allegation through the PREA tab on the Kiosk. The Auditor interviewed some inmates who stated they would report through the PREA Hotline number. Each inmate was asked if he/she is required to give his/her name when alleging sexual abuse. Inmates are aware they can submit an allegation anonymously.

The Auditor conducted formal interviews with random and specialized staff. Staff was asked if the facility allows inmates the opportunity to submit grievances alleging a risk of imminent sexual abuse. The Auditor was informed inmates can submit such grievances. Facility staff understands the procedures for submitting emergency grievances alleging a risk of imminent sexual abuse and supervisors are aware of the appropriate time limits to respond to such. Facility supervisors respond to emergency grievances. A review of records reveals no inmate submitted an emergency grievance alleging an imminent risk of sexual abuse within the previous 12 months.

**Conclusion:**

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

115.53	<b>Inmate access to outside confidential support services</b>
	<p data-bbox="240 145 740 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1481 398">The BCDF has a policy to provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers of community victim advocates for emotional support services. Agency policy requires facilities to allow reasonable communications between inmates and the organizations and agencies, in as confidential manner as possible.</p> <p data-bbox="240 427 1477 521">The Butler County Detention Facility requires facilities to inform inmates of the extent to which communications to those organizations and agencies will be monitored and forwarded in accordance with mandatory reporting laws prior to giving the offenders access.</p> <p data-bbox="240 551 1455 645">Facility policy stipulates the BCDF will maintain a Memoranda of Understanding with a community service provider who is able to provide inmates with confidential emotional support services related to sexual abuse. Policy requires the facility maintain copies of those agreements.</p> <p data-bbox="240 674 489 703"><b>Evidence Relied Upon:</b></p> <p data-bbox="240 732 954 761">Policy – 116.15 – Support Services for Victims of Sexual Abuse pg. 1-2</p> <p data-bbox="240 790 1058 819">Butler County Inmate Sexual Abuse/Assault Prevention and Intervention brochure</p> <p data-bbox="240 848 489 878">Inmate Handbook pg. 21</p> <p data-bbox="240 907 683 936">ICE National Detention Handbook pg. 10-11</p> <p data-bbox="240 965 434 994">Posted Information</p> <p data-bbox="240 1023 667 1052">MOU with Family Life Center – Safehouse</p> <p data-bbox="240 1081 448 1111">Interview with SANE</p> <p data-bbox="240 1140 434 1169">Interview with Staff</p> <p data-bbox="240 1198 467 1227">Interview with Inmates</p> <p data-bbox="240 1256 467 1285"><b>Analysis/Reasoning:</b></p> <p data-bbox="240 1314 1469 1368">The Auditor reviewed the Memorandum of Understanding between the Butler County Detention Facility and the Family Life Center – Safehouse. The agreement includes the following stipulations by the Family Life Center – Safehouse:</p> <ul data-bbox="284 1422 1477 1682" style="list-style-type: none"> <li>• Provide advocacy services to support the offender victim through the forensic medical examination process and investigatory interviews. Advocates shall provide emotional support, crisis intervention, information and referrals upon request from the Butler County Detention Facility;</li> <li>• Respond to notifications by 24-hour Crisis Line (phone number is provided) email or in person;</li> <li>• Provide main contact from the Family Life Center – Safehouse to the Butler County Detention Facility (Executive Director and Advocate contact information is provided); and</li> <li>• Accept reports of sexual abuse and sexual harassment from inmate victims. Accept reports by either anonymous reporters or by reporters wishing to provide their name.</li> </ul> <p data-bbox="240 1711 1465 1939">The Auditor contacted a victim advocate from the Family Life Center – Safehouse (FLCS). The FLCS provides confidential crisis intervention and emotional support services related to sexual abuse to BCDF inmate victims. The FLCS hotline is monitored by trained FLCS staff. The hotline is monitored 24 hours each day, seven days per week. The FLCS can link inmate victims to accompaniment services by trained victim advocates upon request of the victim, when appropriate to do so. The BCDF has posted the agency’s limitations on recording and monitoring of phone calls above the telephones in inmate living units. FLCS staff will provide onsite services to inmate victims in the event needed. The FLCS has received telephone calls from inmates incarcerated in the Butler County Detention Facility.</p> <p data-bbox="240 1968 1493 2130">The Auditor reviewed the Butler County Inmate Sexual Abuse/Assault Prevention and Intervention brochure. The brochure provides the name, address and contact number of the Family Life Center – Safehouse. The Auditor observed the Family Life Center - Safehouse information posted in each living unit. The posted materials were located on a bulletin board in each living unit. The posted material has the instructions to access the telephone number and includes the address to the Family Life Center – Safehouse.</p>

The Auditor conducted a review of the BCDF Inmate Handbook. The handbook informs inmates how to access services through the Family Life Center – Safehouse. The handbook provides inmates the telephone number to the safehouse. The Inmate Handbook provides information to the inmate about telephone recording and monitoring procedures. Inmates are informed they are not required to input a PIN prior to making the telephone call to the Safehouse.

Each ICE detainee is provided the ICE National Detention Handbook. The Auditor reviewed the ICE National Detention Handbook. The handbook includes information for ICE detainees to access emotional support services.

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

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

The facility has not housed an inmate solely for civil immigration purposes during this audit period. The facility has posted materials informing any person detained for civil immigration how to access emotional support services. Each person detained for civil immigration receives a facility handbook, brochure and ICE National Detention Handbook upon entry.

**Conclusion:**

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

115.54

**Third-party reporting**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

It is the policy of the Butler County Detention Facility to accept third-party reports of sexual abuse and sexual harassment. The agency's policy allows reports of sexual abuse and sexual harassment by submitting a report to the Butler County Sheriff's Office or contacting the Butler County Detention Facility Detective directly. Any fellow inmate, staff member, family member, attorney, or outside advocate may file a third-party report alleging sexual abuse on behalf of an inmate.

**Evidence Relied Upon:**

Policy – 116.11 – Procedures/Rules for Reporting Sexual Abuse and Sexual Harassment pg. 2

Agency Website

Inmate Handbook

Investigative Reports

Interviews with Staff

Interviews with Inmates

**Analysis/Reasoning:**

The Auditor reviewed the Butler County Detention Facility website. The website includes a link to read more about PREA. When accessing the link, the facility's instructions for filing a third-party allegation are included within. The public is informed to submit a report to the Butler County Sheriff's Office or contact the Butler County Detention Facility Detective directly. The Auditor observed the website does not include the contact information of the detective.

A review of the Inmate Handbook reveals inmates are informed they can tell a friend or family member to file an allegation on their behalf. An inmate may also submit an allegation by third-party through the PREA function on the Kiosk system. This method does not require an inmate to give his/her name.

BCDF staff is required by policy to accept all reports of sexual abuse and sexual harassment, including verbally, in writing, anonymously and by third-party. The Auditor conducted formal interviews with random and targeted staff and asked if they are required to accept third-party reports of sexual abuse or sexual harassment. Each staff member informed the Auditor they are required to accept all allegations of sexual abuse and sexual harassment. Staff informed the Auditor they accept the report, verbally inform a supervisor, and document the allegation on an Incident Report. The Auditor asked each when they are required to submit the Incident Report. Each informed they submit the report promptly.

The Auditor conducted a formal interview with the facility detective. The detective was asked if he conducts investigations that are made by a third party. The detective stated he has conducted investigations made by a third party. The Auditor was informed third party reports are typically made by a family member or another inmate. The investigator stated the manner in which an allegation is made does not hinder an investigation. All allegations are investigated regardless of how they are reported.

The Auditor conducted formal interviews with inmates. The Auditor asked inmates in what ways the facility makes available for them to file an allegation of sexual abuse or sexual harassment. Inmates informed the Auditor they could use the telephone, tell a staff member, write a grievance, request, use the Kiosk or inform someone from the public to make an allegation for them. Most inmates are aware they do not have to give their name when filing a report of sexual abuse or sexual harassment. Most inmates interviewed are aware of the toll free PREA Hotline available for reporting. All inmates interviewed understand how to have a third-party make an allegation of sexual abuse or sexual harassment on their behalf. The Auditor observed the hotline number posted in each living unit with information regarding rules on recording and monitoring of calls.

The Auditor reviewed investigative reports from the previous 12 months. The Auditor observed allegations made by a third party had been investigated by the facility. All third-party allegations were documented on a facility Incident Narrative Report. At the time of the audit there were no inmates housed who were involved in an allegation that was reported by a third party.

**Conclusion:**

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

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

115.61	<b>Staff and agency reporting duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1493 465">BCDF policy stipulates any staff member who has knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment, retaliation against inmates or staff who report such an incident; and any staff neglect that may have contributed to such incident or retaliation, shall immediately report such incident or retaliation, in the manner specified by BCDF policy. Staff are prohibited from revealing any information related to a sexual abuse report to anyone other than supervisors or as specified in BCDF policy. Policy allows staff to reveal information related to an incident of sexual abuse to supervisors, medical and investigators.</p> <p data-bbox="240 495 1474 719">Policy requires all incidents or allegations of sexual abuse and sexual harassment are promptly documented. Staff at the facility are required to write an Incident Report including the details of the allegation, information or suspicion. The BCDF policy requires medical and mental health practitioners to report any, and all knowledge, suspicion, or information related to sexual abuse, sexual harassment, retaliation, or staff neglect. Medical and mental health practitioners are considered mandatory reporters of sexual abuse that occurred in an institutional setting. Policy requires medical and mental health practitioners to provide that information, in writing, at the initiation of services and to obtain informed consent at the initiation of services.</p> <p data-bbox="240 752 1452 813">The agency's policy mandates information related to sexual victimization or abuse that occurred in a community setting is strictly limited to medical and mental health practitioners, and other staff as necessary.</p> <p data-bbox="240 842 489 869"><b>Evidence Relied Upon:</b></p> <p data-bbox="240 900 1193 927">Policy – 116.11 – Procedures/Rules for Reporting Sexual Abuse and Sexual Harassment, pg. 2</p> <p data-bbox="240 956 1050 983">Policy - 116.20 - Notifying Other Confinement Agencies of Sexual Abuse, pg. 1-2</p> <p data-bbox="240 1014 461 1041">Investigative Records</p> <p data-bbox="240 1070 442 1097">Training Curriculum</p> <p data-bbox="240 1128 416 1155">Training Records</p> <p data-bbox="240 1187 437 1214">Population Reports</p> <p data-bbox="240 1243 617 1270">Interviews with Medical Professionals</p> <p data-bbox="240 1301 504 1328">Interview with Investigator</p> <p data-bbox="240 1357 446 1384">Interviews with Staff</p> <p data-bbox="240 1415 480 1442">Interviews with Inmates</p> <p data-bbox="240 1473 467 1500"><b>Analysis/Reasoning:</b></p> <p data-bbox="240 1532 1484 1693">The Auditor reviewed investigative records. The investigative records reviewed by the Auditor revealed staff are immediately reporting allegations to their designated supervisors. The Auditor observed written Incident Reports documenting the information verbally reported by the reporting staff members. The Auditor conducted an interview with one inmate who made an allegation within the previous 12 months. The inmate informed the Auditor he has confidence in staff's ability to maintain confidentiality with such information.</p> <p data-bbox="240 1724 1474 1919">All staff and contractors receive training related to sexual abuse and sexual harassment initially and each year thereafter. The Auditor reviewed the agency's PREA training curriculum. The training curriculum includes the responsibilities of staff to immediately report any, and all knowledge, suspicions or information related to sexual abuse or sexual harassment. The training curriculum includes staff's responsibility to report any staff neglect or a violation of duties that may have contributed to an incident of sexual abuse. The training curriculum includes inmates' rights and staff's responsibility to maintain confidentiality. The Auditor verified all staff and contractors have received the training.</p> <p data-bbox="240 1951 1489 2145">The Auditor conducted formal interviews with randomly selected and specifically targeted staff at the BCDF. Each was asked if they are required to report any and all knowledge, suspicion or information related to sexual abuse or sexual harassment. The Auditor was informed staff are required to immediately report the information to their supervisor. The Auditor asked each staff member if they are required to report knowledge, suspicion, or information related to retaliation, staff neglect or a violation of duties which may have contributed to sexual abuse or sexual harassment. All staff interviewed are aware of the agency's requirement to immediately report such activity. Each staff member explained the process of submitting Incident</p>

Reports within the facility. The process explained by each staff verifies the requirement is promptly after conclusion of the incident or upon learning the information.

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

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

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

At the time of the audit there were no youthful inmates housed in the facility. The Auditor reviewed the previous 12 months of population reports and discovered no evidence a youthful inmate was housed during this audit period. The Butler County Detention Facility does not house youthful inmates who have been certified as adults through any Kansas or other court system. If the inmate is below the age of 18, he/she will be housed in a facility designated to house juveniles.

**Conclusion:**

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

115.62	<b>Agency protection duties</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 1485 398">The Butler County Detention Facility policy requires facility staff to take immediate actions to protect an inmate when learning an inmate is at substantial risk of imminent sexual abuse. Each inmate is screened for their risk of sexual victimization within 72 hours of admission to the facility, and in most cases within 24 hours. Inmates who are discovered at risk of sexual victimization are referred to a medical practitioner so a medical risk assessment can be conducted.</p> <p data-bbox="242 427 488 456"><b>Evidence Relied Upon:</b></p> <p data-bbox="242 486 1366 515">Policy – 116.7 – Protection of Inmates Facing Substantial Risk and Emergency Grievances and Grievances pg. 1</p> <p data-bbox="242 544 1318 573">Policy – 116.6 – Screening of Inmates and Use of Information Obtained to Inform Housing Assignment pg. 1</p> <p data-bbox="242 602 360 631">Alert Listing</p> <p data-bbox="242 660 467 689">Classification Records</p> <p data-bbox="242 719 459 748">Investigative Records</p> <p data-bbox="242 777 445 806">Interviews with Staff</p> <p data-bbox="242 835 478 864">Interviews with Inmates</p> <p data-bbox="242 893 376 922">Observations</p> <p data-bbox="242 952 467 981"><b>Analysis/Reasoning:</b></p> <p data-bbox="242 1010 1485 1196">The Auditor participated in a detailed tour of all facility areas. The Auditor observed all living units available to ensure an inmate who is at risk of imminent sexual abuse can be housed separately from potential abusers. The facility has multiple male living units to ensure separation can be maintained. The facility has an area to ensure female inmates can be maintained separately. The facility has the option to transfer an abuser or victim to another facility if need be. The Auditor observed four (4) male housing units and one female housing unit. There are medical cells and two cells previously utilized to house juveniles to house a female victim or abuser.</p> <p data-bbox="242 1225 1458 1352">Formal interviews were conducted with facility supervisors. Facility supervisors were asked to explain how inmates are protected when learning an inmate is at substantial risk of imminent sexual abuse. The Auditor was informed the alleged victim or abuser will be moved to a different living unit for his immediate safety until an investigation can determine results. The investigator, classification, medical and mental health are informed of the alleged incident.</p> <p data-bbox="242 1382 1485 1612">The Auditor conducted formal interviews with classification staff. Classification staff was asked how they ensure the protection of an inmate who is at substantial risk of imminent sexual abuse. The Auditor was informed a reassignment of housing would take place. The Auditor asked classification staff to explain what considerations are given when making their determination. Classification informed they review program, work, and educational assignments to ensure an inmate at risk of sexual victimization will not encounter an inmate who is a likely abuser. Classification stated they would meet with the inmate who alleged a substantial risk of imminent sexual abuse to ensure he/she is maintained safely in the facility. Classification staff will utilize segregation for protective custody as a last resort, unless requested by the at-risk inmate.</p> <p data-bbox="242 1641 1469 1836">The Auditor conducted formal and informal interviews with both security and non-security staff members. Each was asked what they would do if they were the first person to learn an inmate was at risk of imminent sexual abuse. Staff informed the Auditor they would immediately remove the inmate from the situation and verbally notify their supervisor. The Auditor asked staff to explain how they keep the inmates separated until a supervisor responded to the area. Each staff member was able to articulate reasonable explanations to ensure separation of both inmates. Non-security personnel stated they would immediately notify a security staff member and stay with the alleged victim to ensure the alleged victim's safety.</p> <p data-bbox="242 1865 1485 1993">Interviews were conducted with randomly selected and specifically targeted inmates. The Auditor asked each if they felt safe in the facility. Each inmate, excluding one, stated they do feel safe in the facility. The Auditor asked each if they are confident in staff's ability to ensure their protection. Inmates informed the Auditor they feel confident in BCDF staff abilities to protect them from sexual abuse, harassment and retaliation.</p> <p data-bbox="242 2022 1458 2150">The facility reported no incidents in which facility staff learned an inmate was at substantial risk of imminent sexual abuse within the previous 12 months. The Auditor reviewed classification records and found no evidence in which an inmate was determined at risk of imminent sexual abuse. There was no offender housed in segregation who was at risk of imminent sexual abuse at the time of the audit.</p>

The Auditor reviewed the BCDF Alert Listing report. The report included inmates who had been identified at risk for sexual abusiveness. There were no inmates identified at risk for sexual victimization. The Auditor reviewed ten investigative reports. In each case, the facility took action to ensure the separation of alleged abusers from alleged victims. None of the alleged victims were placed in involuntary segregated housing.

The Auditor conducted an interview with one inmate who filed an allegation in the previous 12 months. The inmate informed the Auditor he was not placed in segregated housing. The inmate stated he and the alleged abuser were immediately separated from one another. The inmate informed the Auditor he does not have direct contact with the alleged abuser.

**Conclusion:**

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

115.63	<b>Reporting to other confinement facilities</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 1493 398">Agency policy requires the BCDF to notify the head of the facility where an alleged sexual abuse occurred upon receiving an allegation that an inmate was sexually abused while confined at another facility. Policy dictates the notification must be documented and take place within 72 hours after receiving the allegation. Policy requires the BCDF ensure an investigation is completed for all allegations of sexual abuse and sexual harassment received by the facility.</p> <p data-bbox="242 427 1465 521">Policy 116.20 Notifying Other Confinement Agencies of Sexual Abuse, page 1 states, "The Operations Captain will contact the facility or agency where sexual abuse was alleged to have occurred and speak with that facility's PREA Coordinator or Agency Head." The Operations Captain serves as the BCDF facility head.</p> <p data-bbox="242 551 1481 645">The Butler County Detention Facility reported one sexual abuse allegation was received from an inmate who alleged being sexually abused at another facility during this audit period. The Butler County Detention Facility reported receiving no sexual abuse allegations from another facility in the previous 12 months.</p> <p data-bbox="242 674 488 703"><b>Evidence Relied Upon:</b></p> <p data-bbox="242 732 1053 761">Policy – 116.20 – Notifying Other Confinement Agencies of Sexual Abuse pg. 1-2</p> <p data-bbox="242 790 920 819">Policy – 116.16 – Investigation of Incidents and Notifications pg. 1-4</p> <p data-bbox="242 848 542 878">Notification to Another Facility</p> <p data-bbox="242 907 446 936">Interviews with Staff</p> <p data-bbox="242 965 515 994">Interviews with Contractors</p> <p data-bbox="242 1023 467 1052"><b>Analysis/Reasoning:</b></p> <p data-bbox="242 1081 1465 1207">The Auditor reviewed a notification that was sent from BCDF to another facility regarding a sexual abuse allegation. The Operations Captain contacted the other facility the same day the allegation was received. The Operations Captain sent the notification by fax to the Deputy Warden at the other facility. The notification included the BCDF Incident Narrative Report and informed the facility of BCDF contact information. The notice was sent within 72 hours as required by this standard.</p> <p data-bbox="242 1236 1493 1431">The Auditor conducted an interview with the Butler County Detention Facility Operations Captain (Facility Head). The Captain is aware of his requirement to report allegations of sexual abuse to other confinement facilities within 72 hours after receiving the allegation. Notification to other facilities is made by telephone and secure fax. The BCDF has not received a notification from another facility that a former BCDF inmate alleged suffering sexual abuse while housed at the BCDF. The Operations Captain ensures all allegations received by other facilities are fully investigated. The Operations Captain stated the facility Detective is immediately notified after receiving an allegation from another agency that involves a former BCDF inmate.</p> <p data-bbox="242 1460 1477 1585">The Auditor conducted formal interviews with facility staff and contract personnel. Each person interviewed stated they are required to immediately report and document any and all knowledge, suspicion and information regarding sexual abuse and sexual harassment. The Auditor asked each how quickly they are required to report the information and was informed "immediately." Staff verbally report the information to their supervisor and submit an Incident Report.</p> <p data-bbox="242 1615 376 1644"><b>Conclusion:</b></p> <p data-bbox="242 1673 1493 1868">The Operations Captain understands the requirement to report allegations to other confinement facilities and to ensure allegations received are investigated. The Operations Captain is the facility head at the Butler County Detention Facility. Staff and contractor personnel at the Butler County Detention Facility understand the agency's requirement to immediately report allegations of sexual abuse and sexual harassment so allegations can be investigated. The Auditor reviewed agency policies, procedures, facility notification, interviewed staff and contractors to determine the facility meets the requirements of this standard.</p>

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

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

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

The facility reported there were no allegations in the previous 12 months that required first responder duties be initiated. There were no sexual abuse allegations received by a non-security staff member in the previous 12 months. The Auditor reviewed sexual abuse investigations from the previous 12 months. None of the allegations involved inappropriate contact.

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

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

The Sexual Abuse Response Checklist requires the name of the staff member performing each action, date, time and employee ID number. Utilization of the checklist ensures the proper protocols are followed. The facility maintains a Sexual Abuse Response Checklist for utilization when ICE detainees are victimized. The facility has not housed an inmate solely for civil immigration during this audit period.

The Auditor reviewed the facility's training curriculum. The training curriculum includes first responder duties for both security and non-security personnel. The training curriculum includes the bulleted topics in the "Auditor Discussion" above. The Auditor reviewed training records that reveal both security and non-security staff have received the training. A review of medical personnel training records reveal medical staff have received specialized medical training as stipulated in standard 115.35.

**Conclusion:**

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

115.65	<b>Coordinated response</b>
	<p data-bbox="240 143 740 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 208 451 239"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1422 331">The facility's policy, Coordinated Response to Report of an Incident of Sexual Abuse/Evidence Protocol, serves as the facility's coordinated response plan.</p> <p data-bbox="240 360 1453 421">The facility utilizes a Sexual Abuse Response Checklist to supplement the coordinated response plan. The Sexual Abuse Response Checklist requires each staff member's name, ID number and date and time the staff took those actions.</p> <p data-bbox="240 450 489 481"><b>Evidence Relied Upon:</b></p> <p data-bbox="240 510 1331 542">Policy – 116.12 – Coordinated Response to Report of an Incident of Sexual Abuse/Evidence Protocol pg. 1-6</p> <p data-bbox="240 566 595 598">BCDF Coordinated Response Plan</p> <p data-bbox="240 622 592 654">Sexual Abuse Response Checklist</p> <p data-bbox="240 678 461 710">Investigative Records</p> <p data-bbox="240 734 400 766">Staff Interviews</p> <p data-bbox="240 795 467 826"><b>Analysis/Reasoning:</b></p> <p data-bbox="240 855 1485 949">The Butler County Detention Facility has a written Coordinated Response Plan. The plan includes response actions for staff first responders, supervisors, medical and mental health practitioners, investigators and facility leadership. The plan includes the required actions of non-security first responders.</p> <p data-bbox="240 978 1410 1072">The agency utilizes a Sexual Abuse Response Checklist for staff to follow after an alleged incident of sexual abuse is reported. The checklist supplements the Coordinated Response Plan. The checklist includes, but is not limited, to the following:</p> <ul data-bbox="284 1124 633 1420" style="list-style-type: none"> <li>• Separation of abuser and victim;</li> <li>• First responder duties;</li> <li>• Securing the crime scene;</li> <li>• Explanation of victim rights;</li> <li>• Transportation to forensic exam;</li> <li>• Contacting safehouse;</li> <li>• Evaluation by medical;</li> <li>• Processing of crime scene; and</li> <li>• Documentation collection.</li> </ul> <p data-bbox="240 1449 1485 1576">The Auditor reviewed sexual abuse investigative reports from the previous 12 months. There were no allegations received that required the Coordinated Response Plan be fully activated in the previous 12 months. The Auditor observed evidence the facility separated alleged victims from alleged abusers after learning of the alleged sexual abuse. None of the allegations required an inmate be transported for a forensic examination or be provided emergency medical care.</p> <p data-bbox="240 1606 1474 1834">During interviews with specialized staff members the Auditor asked first responders, medical practitioners, investigator, and command staff questions regarding their duties in response to an alleged sexual abuse incident. Each specialized staff interviewed by the Auditor was able to articulate their required response actions following an alleged sexual abuse incident. Specialized staff interviewed by the Auditor understand and make appropriate response efforts to an alleged sexual abuse incident and staff has been appropriately trained to respond to such incidents. Non-security first responders understand to immediately report the allegation, ensure the safety of the inmate, and inform the inmate not to take actions that could potentially destroy evidence.</p> <p data-bbox="240 1863 376 1895"><b>Conclusion:</b></p> <p data-bbox="240 1924 1485 2051">The Auditor determined the facility maintains an appropriate institutional plan that coordinates the actions of personnel following an incident of sexual abuse. Based on a review of agency policies, procedures, coordinated response plan, Sexual Abuse Response Checklist and interviews with staff, the Auditor determined the facility meets the requirements of this standard.</p>

115.66	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1469 365">The Butler County Detention Facility policy prohibits entering into or renewing any collective bargaining agreement or other agreement that limits BCDF's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or a determination of whether and to what extent discipline is warranted.</p> <p data-bbox="242 394 1396 421">Policy states nothing in this section [of policy] shall restrict BCDF entering into or renewing agreements that govern:</p> <ul data-bbox="284 472 1477 701" style="list-style-type: none"> <li data-bbox="284 472 1477 600">• The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions in this policy relating to the standard of evidence for substantiating allegations of sexual abuse/harassment in BCDF policy 116.16 (Investigation of Incidents) and disciplinary sanctions for staff in BCDF policy 116.18, (Sanctions Against Abusers When Allegations are Substantiated); or</li> <li data-bbox="284 607 1477 701">• Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.</li> </ul> <p data-bbox="242 730 488 757"><b>Evidence Relied Upon:</b></p> <p data-bbox="242 786 1155 813">Policy – 116.24 – Preservation of Ability to Protect Inmates from Contact with Abusers pg. 1</p> <p data-bbox="242 842 461 869">Investigative Records</p> <p data-bbox="242 898 445 925">Interviews with Staff</p> <p data-bbox="242 954 467 981"><b>Analysis/Reasoning:</b></p> <p data-bbox="242 1010 1481 1104">The Butler County Detention Facility has not entered into any agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.</p> <p data-bbox="242 1133 1485 1198">Interviews with staff reveal no staff participates with a collective bargaining agreement. Interviews with command staff reveal alleged staff sexual abusers can be removed from contact with inmates pending the outcome of an investigation.</p> <p data-bbox="242 1227 1493 1321">The Auditor reviewed investigative reports from the previous 12 months. A review of investigative records revealed the facility ensures a staff member is removed from contact with the alleged victim pending the results of the investigation. The Facility Head informed the Auditor he ensures the staff member is immediately removed from contact with the alleged victim.</p> <p data-bbox="242 1350 376 1377"><b>Conclusion:</b></p> <p data-bbox="242 1406 1489 1500">The Auditor determined the agency has not entered into an agreement that limits its ability to remove alleged staff sexual abusers from contact with inmates. The Auditor reviewed agency policies, procedures, investigative records, and interviewed staff to determine the agency meets the requirements of this standard.</p>

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The BCDF has a policy to ensure the protection of inmates and staff who report allegations of sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. Policy requires the following protections measures for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations:

- Housing changes;
- Transfers for inmate victims;
- Transfers for inmate abusers;
- Removal of alleged staff or inmate abusers from contact with victims; and
- Emotional support services.

Facility policy requires retaliation monitoring for a period of at least 90 days following a report of sexual abuse. The Retaliation Monitor is required to monitor the conduct and treatment of inmates or staff who reported sexual abuse, and of inmates who were reported to have suffered sexual abuse, to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. BCDF monitors are required to monitor beyond 90 days if the initial monitoring indicates an ongoing need. The Retaliation Monitor is required to conduct:

- Periodic in-person conversations with inmates and/or staff;
- Reviews of disciplinary incidents involving inmates;
- Reviews of housing changes;
- Reviews of program changes; and
- Reviews of negative performance reviews or reassignments of staff.

**Evidence Relied Upon:**

Policy – 116.17 – Protection from Retaliation pg. 1

Retaliation Monitoring Reports

Investigative Records

Interview with Retaliation Monitor

Interviews with Inmates

**Analysis/Reasoning:**

The agency's policy includes the elements of PREA standard 115.67 to ensure inmates and staff are protected from retaliation by staff or other inmates. The Butler County Detention Facility has designated Captains, Lieutenants and the facility Detective responsible for monitoring retaliation as required by PREA standard 115.67.

The Retaliation Monitor documents meetings with inmates on the PREA Monthly Retaliation Monitoring Report. The Auditor reviewed the PREA Monthly Retaliation Monitoring Report. The report includes the following:

- Date Records Reviewed
- Date Interviewed Victim/Reporter
- Date Indicators Reviewed
- Reports/Indicators of Retaliation
- Comments

The report informs the retaliation monitor to review housing and program changes, disciplinary reports, reassignments and/or negative performance reviews. The form explains to meet with the inmate/employee once each month for 90 days, unless otherwise notified. The monitor is informed to immediately notify the PREA Coordinator if any of the indicators are identified by the retaliation monitor.

The Auditor reviewed investigative records from the previous 12 months. In each required case, the retaliation monitor completed the PREA Monthly Retaliation Monitoring Report. Investigative reports included signed monitoring reports. None of the monitoring reports completed had discovered an act of retaliation. The Butler County Detention Facility reported discovering no incidents of retaliation in the previous 12 months. The Auditor interviewed one inmate who claimed an

allegation of retaliation. The case was unfounded by the facility detective. As such, the inmate did not require monitoring.

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

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

The Auditor asked the monitor what her actions would be if an inmate requested her to stop the monitoring process before 90 days. The monitor stated she is required to monitor for at least 90 days. The monitor would discuss the importance of monitoring with the inmate. The monitor stated she will continue the monitoring and find less visible ways to perform her monitoring duties.

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

**Conclusion:**

The BCDF has appointed an appropriate staff member responsible for monitoring acts of retaliation against inmates and staff. The monitor interviewed was well educated in the responsibilities for monitoring staff and inmates for acts of retaliation. The Auditor reviewed agency policies, procedures, retaliation monitoring documents, investigative records, and conducted formal interviews with staff and inmates to determine the facility meets the requirements of this standard.

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

The Butler County Detention Facility has a policy that requires the protection of an inmate who is alleged to have suffered sexual abuse. The policy requires the use of segregated housing be subjected to the requirements of PREA standard 115.43.

**Evidence Relied Upon:**

Policy – 116.8 – Protective Custody and Segregated Housing pg. 1-2

Classification Records

Investigative Records

Interview with Segregated Housing Unit Staff

Interview with Inmates

Observations

**Analysis/Reasoning:**

The Auditor reviewed the agency's policy regarding the use of segregation housing to protect inmates at high risk of sexual victimization. The facility's policy states inmates at high risk for sexual victimization (ATRSK) shall not be placed in involuntarily segregated housing unless BCDF staff has assessed all available alternatives and has determined that there is no available alternative means of separation from likely abusers. Policy stipulates if the BCDF cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.

The Auditor conducted formal and informal interviews with staff who supervise inmates in segregation housing. The Auditor asked if they have supervised an inmate who has been placed in segregation housing after alleging an incident of sexual abuse. Each informed the Auditor they were unaware of an inmate being housed in segregation for such reason. The staff was asked if inmates in segregated housing have access to programs, education, work and other privileges. The Auditor was informed inmates do have access to such, to the extent possible.

The Auditor discussed the use of segregated housing with classification staff. The Auditor asked classification staff if they conduct a review of those placed in segregation after suffering sexual abuse. Classification staff informed the Auditor a review would be conducted if a victim were to be placed involuntarily in segregated housing. The Auditor asked if the victimized inmate would be removed from programming, education or work status as a result of being placed in segregation housing. The Auditor was informed the inmate would be able to participate in programs, education, and work while being housed in segregation for protection as a sexual abuse victim, consistent with safety and security needs. The Auditor was informed reviews are conducted every seven days for the first month and every 30 days following.

Classification staff informed the Auditor there are multiple housing options available and therefore do not automatically place a sexual abuse victim in segregation for his/her protection. Classification explained other alternatives are explored and segregation is utilized as a last resort. The Auditor was informed there are numerous areas in the facility to place sexual abuse victims to ensure they are protected from abusers without having to place the victim in segregation housing. Classification stated they can recommend a transfer of the abuser or victim to another facility if need be. The Auditor asked if there were any inmates placed in segregation for protection as a sexual abuse victim in the last 12 months. Classification informed there were no inmates placed in segregation for protection as a sexual abuse victim.

The Auditor conducted interviews with inmates who alleged sexual abuse. None of the inmates interviewed was placed in segregation to ensure his/her protection from sexual abuse. The Auditor reviewed the classification records of each inmate. The review revealed none were housed in segregated housing for the protection from sexual abuse.

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

**Conclusion:**

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

**115.71 Criminal and administrative agency investigations**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility's Detective conducts administrative and criminal investigations. The BCDF requires its investigators receive special training to conduct sexual abuse investigations in confinement settings. BCDF policy requires the specialized training include:

- Techniques for interviewing sexual abuse victims;
- Appropriate application of Miranda and Garrity warnings;
- Sexual abuse evidence collection in confinement settings; and
- The critical and evidence required to substantiate a case for prosecution referral.

Investigators are required to:

- Gather and preserve direct and circumstantial evidence, including physical and DNA;
- Gather and preserve available electronic monitoring data;
- Interview alleged victims, suspected perpetrators, and witnesses;
- Review prior complaints and reports of sexual abuse involving the suspected perpetrator.

When the quality of evidence appears to support criminal prosecution, BCDF investigators may only conduct compelled interviews after consulting with prosecutors as to whether compelled interviews may be an obstacle for criminal prosecution. Investigators are required by policy to assess the credibility of an alleged victim, suspect, or witness on an individual bases and may not determine credibility on the person's status as an inmate or staff member. Policy prohibits requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation.

Policy requires administrative investigations include efforts to determine whether staff actions or failure to act contributed to an act of sexual abuse. Administrative investigatory reports are required to include a description of physical evidence, testimonial evidence, the reason behind credibility assessments, and investigative facts and findings. Policy requires criminal investigations be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of documentary evidence where feasible.

Facility investigators are required to refer substantiated allegations which appear to be criminal in nature for prosecution. Investigators are required to maintain written investigative reports for as long as the alleged abuser is incarcerated or employed by the agency, plus an additional 5 years. Policy prohibits the termination of an investigation if an inmate is released or a staff member is terminated or terminates employment.

If other agencies investigate allegations of sexual abuse at the BCDF, facility Investigators are required by policy to cooperate with those agencies and are required to endeavor to remain informed about the progress of the investigation. At the time of the audit the BCDF had three trained investigators. One detective is assigned as the facility's fulltime investigator. Each investigator has received specialized training to conduct sexual abuse investigations in confinement facilities.

**Evidence Relied Upon:**

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

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

Investigator Training Records

Investigative Records

Interview with Detective

Observations

**Analysis/Reasoning:**

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

relevant documents. The Detective uses this information to assist in determining credibility of the person.

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

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

The Auditor asked the Detective how he conducts investigations of allegations that are reported anonymously. The Detective informed the Auditor he conducts them as he would any other investigation. The Detective continues his investigatory efforts as he would any other investigation until a determination can be made. The Detective stated he continues his investigative efforts even if an inmate is released or a staff member terminates employment during or before the investigation begins. The investigator has the legal authority to conduct investigations in the jurisdiction. He has the authority to travel to a private residence to continue investigatory efforts.

The Auditor reviewed ten investigative files. The Auditor reviewed eight sexual harassment and two sexual abuse investigations conducted at the facility. There were two staff on inmate sexual abuse allegations and three staff-on-inmate sexual harassment and five inmate-on-inmate sexual harassment allegations. One inmate-on-inmate allegation was substantiated, one inmate-on-inmate sexual harassment was unsubstantiated while the remaining allegations were unfounded. Each investigation was conducted by the facility detective. A review of investigative reports reveals the Detective conducted each investigation promptly, thoroughly and objectively. The Auditor observed the investigative reports included a description of physical evidence, testimonial evidence, and investigative facts and findings. Each investigative report reviewed by the Auditor included the Detective's findings of direct and circumstantial evidence and the Detective's review of video monitoring technology. The Auditor clearly observed the Detective interviewed alleged victims, perpetrators and witnesses.

The Auditor observed elements of a credibility assessment documented in written administrative reports. The Auditor discussed the requirement to document the reason behind credibility assessments and how to strengthen the Detective's report with such information. The facility had two allegations referred for criminal investigation; none have been referred for criminal prosecution.

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

**Conclusion:**

The Auditor determined the facility Detective is conducting appropriate, objective and thorough sexual abuse and sexual harassment investigations. The Detective has received the appropriate training to conduct sexual abuse and sexual harassment investigations in a confinement setting. After reviewing policies, procedures, investigative reports, training records, and interviewing the facility detective, the Auditor determined the facility meets the requirements of this standard.

115.72	<b>Evidentiary standard for administrative investigations</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 1433 331">The Butler County Detention Facility has a policy that imposes no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p data-bbox="240 360 491 387"><b>Evidence Relied Upon:</b></p> <p data-bbox="240 418 903 445">Policy – 116.16 – Investigation of Incidents and Notifications pg. 2</p> <p data-bbox="240 477 456 504">Investigative Reports</p> <p data-bbox="240 535 515 562">Interview with Investigators</p> <p data-bbox="240 591 469 618"><b>Analysis/Reasoning:</b></p> <p data-bbox="240 649 1481 777">The Auditor conducted a formal interview with the facility Detective. The Detective was asked what standard of evidence he uses to substantiate an allegation of sexual abuse or sexual harassment. The Detective informed the Auditor he imposes no standard higher than a preponderance of the evidence. The detective stated he uses 51% of evidence to substantiate an allegation.</p> <p data-bbox="240 806 1358 866">The Auditor reviewed ten investigative reports. A review of the reports revealed the facility detective is utilizing a preponderance of evidence when making his investigative determination.</p> <p data-bbox="240 896 376 922"><b>Conclusion:</b></p> <p data-bbox="240 954 1445 1048">The Auditor was able to determine the Detective uses a preponderance as the basis for his determinations. The Auditor reviewed agency policies, procedures, investigative reports, and interviewed the facility detective to determine the facility meets the requirements of this standard.</p>

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility policy requires inmates be notified whether a sexual abuse allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation. Facility policy requires BCDF to request the relevant information from an investigating agency when BCDF does not conduct the investigation so BCDF staff can inform the inmate. Policy requires the facility investigator make notifications to the inmate. The Detective is required to document the notification to the inmate. The Detective is not obligated to inform the inmate is the inmate is released from BCDF custody.

If the alleged abuser is a staff member, the BCDF policy stipulates the inmate will be subsequently informed when:

- The staff member is no longer posted within the inmate's unit;
- The staff member is no longer employed at the facility;
- The BCDF learns that the staff member has been charged with or indicted on a charge related to sexual abuse within the facility; or
- The BCDF learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

If the alleged abuser is an inmate, the BCDF policy stipulates the inmate will be subsequently informed when:

- The BCDF learns that the alleged abuser has been charged with or indicted on a charge related to sexual abuse within the facility; or
- The BCDF learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

**Evidence Relied Upon:**

Policy – 116.16 – Investigation of Incidents and Notifications pg. 3-4

Notification of Investigation Status

Investigative Records

Interview with Detective

Interviews with Inmates

**Analysis/Reasoning:**

The Auditor conducted a formal interview with the facility Detective. The Detective is required to inform inmates of the results of an investigation following the conclusion of the investigation. The Auditor asked who informs the inmate victim when charges are placed on the abuser, or the abuser has been convicted. The Detective informed the Auditor he is required to make those notifications.

The Auditor reviewed ten investigative records. In each case the investigative file included the notice of the results to the alleged victim. Each notification to the inmate was made in writing by the facility Detective. Each notification reviewed by the Auditor stipulated the investigative determination. One allegation included a notice to the inmate of an employee's status with the agency. Although the allegation was unfounded, the inmate was informed the staff member was no longer employed with the agency. There was no inmate informed of pending or actual criminal charges or convictions against a staff member or inmate as there were no allegations referred for prosecution.

The Auditor interviewed one inmate who made an allegation at the facility within the previous 12 months. The Auditor asked the inmate if he was notified at the conclusion of the investigation. The inmate was notified by the investigator the incident was unfounded. The investigator met with the inmate immediately following the allegation. The Auditor asked the inmate how he was notified. The inmate was notified in writing on the Notification of Investigation Status form. The Notification of Investigative Status form includes notification items as bulleted above.

**Conclusion:**

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

115.76	<b>Disciplinary sanctions for staff</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 1485 432">The Butler County Detention Facility staff is subject to disciplinary sanctions up to and including termination for violating the facility's sexual abuse or sexual harassment policies. The facility makes termination the presumptive disciplinary measure for those who have engaged in sexual abuse. Policy requires disciplinary sanctions for violations of BCDF policies relating to sexual abuse or sexual harassment be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.</p> <p data-bbox="242 461 1485 555">Policy requires BCDF to notify law enforcement agencies after terminating an employee for violations of facility sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation. The BCDF is not required to report these actions if the activity was clearly not criminal.</p> <p data-bbox="242 584 488 613"><b>Evidence Relied Upon:</b></p> <p data-bbox="242 642 1394 672">Policy – 116.18 – Sanctions for Individuals Found to have Participated in Sexual Abuse or Sexual Harassment pg. 1</p> <p data-bbox="242 701 459 730">Investigative Records</p> <p data-bbox="242 759 416 788">Training Records</p> <p data-bbox="242 817 445 846">Interviews with Staff</p> <p data-bbox="242 875 464 904"><b>Analysis/Reasoning:</b></p> <p data-bbox="242 934 1481 1126">The Auditor conducted formal interviews with staff at the Butler County Detention Facility. Staff have been made aware termination is the presumptive disciplinary measure for engaging in acts of sexual abuse or sexual harassment. The facility's leadership utilizes a zero-tolerance approach and disciplines staff for violating the facility's sexual abuse and sexual harassment policies. Interviews with command staff reveal the facility will terminate a staff member who is found to have engaged in the sexual abuse of an inmate. Staff informed the Auditor the agency training discusses the discipline measures when found to have engaged in an act of sexual abuse.</p> <p data-bbox="242 1155 1485 1285">The facility Detective has the legal authority to place criminal charges against a staff member who engages in acts of sexual abuse or a criminal act of sexual harassment. The Detective informed the Auditor he coordinates with the prosecutor's office following such an incident if the act is criminal in nature. Facility staff report criminal acts of sexual abuse to relevant licensing bodies following an incident of such or following a resignation that would have resulted in a termination.</p> <p data-bbox="242 1314 1474 1476">If a medical or mental health professional is found to have engaged in sexual abuse the Butler County Detention Facility will notify the Kansas Board of Nursing. The facility does not notify relevant licensing bodies if an act of sexual abuse or sexual harassment is clearly not criminal. The agency does notify relevant licensing bodies when a staff member terminates employment if that staff member would have otherwise been terminated for committing a criminal act of sexual abuse or sexual harassment.</p> <p data-bbox="242 1505 1481 1702">The facility reported no staff member had been found in violation of sexual abuse policies in the previous 12 months. At the time of the audit the facility was conducting an investigation of alleged sexual abuse. The Facility Head informed the Auditor is the allegation is founded the employee will be appropriately disciplined. The Auditor reviewed an investigative report of an allegation made beyond the previous 12 months. The staff member was no longer employed at the facility following the conclusion of the investigation. Neither law enforcement nor a relevant licensing body was notified as the act was clearly not criminal.</p> <p data-bbox="242 1731 1469 1794">The agency reported no substantiated incidents of staff-on-inmate sexual abuse or sexual harassment at the Butler County Detention Facility resulting in disciplinary measures during this audit period.</p> <p data-bbox="242 1823 376 1852"><b>Conclusion:</b></p> <p data-bbox="242 1881 1490 2011">The Butler County Detention Facility has an appropriate policy to ensure BCDF personnel who violate sexual abuse or sexual harassment policies are appropriately disciplined and the appropriate agencies are notified. The Auditor conducted a review of agency policies, procedures, investigative reports and interviewed staff to determine the facility meets the requirements of this standard.</p>

115.77	<b>Corrective action for contractors and volunteers</b>
	<p data-bbox="240 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 398">The Butler County Detention Facility has a policy that mandates contractors and volunteers who engage in sexual abuse are prohibited from contact with inmates. The facility's policy is to notify law enforcement agencies and relevant licensing bodies, unless the activity was clearly not criminal in nature. The facility takes appropriate remedial measures and considers prohibiting further contact with inmates for violations of other agency sexual abuse or sexual harassment policies.</p> <p data-bbox="240 427 488 456"><b>Evidence Relied Upon:</b></p> <p data-bbox="240 486 1398 515">Policy – 116.18 – Sanctions for Individuals Found to have Participated in Sexual Abuse or Sexual Harassment pg. 1</p> <p data-bbox="240 544 1126 573">BCDF Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors</p> <p data-bbox="240 602 445 631">Interviews with Staff</p> <p data-bbox="240 660 504 689">Interviews with Contractor</p> <p data-bbox="240 719 464 748"><b>Analysis/Reasoning:</b></p> <p data-bbox="240 777 1458 837">The Butler County Detention Facility has had no reported incidents of a volunteer or contractor found in violation of sexual abuse or sexual harassment policies.</p> <p data-bbox="240 866 1469 1093">The Auditor conducted formal interviews with contract personnel. Each contract personnel interviewed is aware of the facility's discipline sanctions for violating sexual abuse or sexual harassment policies. Volunteers and contractors are made aware of the facility's sexual abuse and sexual harassment policies during their orientation training. Each volunteer and contractor received a BCDF Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors. Each volunteer and contractor signed receipt of the training material. The BCDF Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors informs volunteers and contractors potential consequences for sexual abuse or sexual harassment of inmates includes:</p> <ul data-bbox="284 1144 767 1305" style="list-style-type: none"> <li>• Dismissal from the facility;</li> <li>• Termination of the contractor/volunteer duties;</li> <li>• Reporting to relevant licensing bodies;</li> <li>• Criminal prosecution; and</li> <li>• Civil liability.</li> </ul> <p data-bbox="240 1335 1490 1496">The facility's leadership is aware of the requirement to notify relevant licensing bodies following a contractor or volunteers participation in a criminal act of sexual abuse or sexual harassment. The Facility Head informed the Auditor a contractor or volunteer is prohibited from inmate contact if determined to have participated in an act of sexual abuse. The Facility Head stated a contractor or volunteer is immediately removed from the facility pending the outcome of the investigation. The facility does not notify relevant licensing bodies if the act committed by a volunteer or contractor is clearly not criminal.</p> <p data-bbox="240 1525 376 1554"><b>Conclusion:</b></p> <p data-bbox="240 1583 1490 1711">The Butler County Detention Facility maintains appropriate policies to ensure contractors and volunteers at the BCDF are removed from inmate contact after committing an act of sexual abuse or sexual harassment. The Auditor reviewed agency policies, procedures, investigative reports, BCDF Guide, and conducted formal interviews with staff and contract personnel to determine the facility meets the requirements of this standard.</p>

115.78	<b>Disciplinary sanctions for inmates</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 1493 495">The agency’s policy subjects inmates to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Policy requires sanctions be commensurate with the nature and circumstances of the abuse committed, the inmate’s disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. An inmate’s mental disability or mental illness is considered when determining what type of sanction, if any, is imposed. BCDF prohibits disciplining an inmate for sexual contact with a staff member if the staff member consented to the act.</p> <p data-bbox="242 528 1437 622">Facility staff is prohibited from disciplining an inmate who makes a report of sexual abuse in good faith and based on a reasonable belief the incident occurred, even if the investigation does not establish enough evidence to substantiate the allegation.</p> <p data-bbox="242 656 1477 750">Sexual activity between inmates is prohibited in the Butler County Detention Facility. BCDF will discipline inmates for sexual conduct with staff only upon finding the staff member did not consent to such contact. BCDF will not discipline inmates for sexual activity the facility deems to constitute sexual abuse or if such activity is coerced.</p> <p data-bbox="242 781 488 810"><b>Evidence Relied Upon:</b></p> <p data-bbox="242 835 1422 864">Policy – 116.18 – Sanctions for Individuals Found to have Participated in Sexual Abuse or Sexual Harassment pg. 1-2</p> <p data-bbox="242 891 459 920">Investigative Records</p> <p data-bbox="242 947 480 976">Interview with Detective</p> <p data-bbox="242 1003 616 1032">Interviews with Medical Professionals</p> <p data-bbox="242 1059 480 1088">Interviews with Inmates</p> <p data-bbox="242 1120 464 1149"><b>Analysis/Reasoning:</b></p> <p data-bbox="242 1176 1465 1308">The facility reported no incidents in which an inmate had been disciplined for filing a report of sexual abuse or sexual harassment. The Auditor conducted formal interviews with staff. The Auditor asked each if they were aware of an inmate receiving disciplinary charges for filing an allegation of sexual abuse or sexual harassment. No staff member was aware of an inmate receiving charges for such.</p> <p data-bbox="242 1339 1477 1471">The Auditor conducted a formal interview with the facility Detective. The Detective was asked if he has ever disciplined an inmate for filing an allegation of sexual abuse. The Detective informed the Auditor he has not placed disciplinary charges on an inmate who filed a report of sexual abuse or sexual harassment. The Auditor discovered no evidence an inmate received a disciplinary charge for making an allegation of sexual abuse or sexual harassment.</p> <p data-bbox="242 1503 1485 1657">The Auditor conducted formal interviews with medical practitioners. The Auditor was informed medical personnel offer counseling, therapy and other interventions to address and correct underlying reasons or motivations for committing acts of sexual abuse. The Auditor was informed an inmate’s participation or non-participation in such interventions do not hinder the inmate’s ability to attend programming or other benefits. Mental Health Practitioners offer services to inmates when requested by the inmate. Inmate’s participation is not mandatory. Efforts are made if the inmate is willing to participate.</p> <p data-bbox="242 1688 1474 1843">The Auditor interviewed one inmate who submitted an allegation within the previous 12 months. The allegation was determined unfounded by the BCDF detective. The Auditor asked the inmate if he had been disciplined for making the allegation. The inmate reported he was not disciplined for making the allegation. The Auditor reviewed investigative records from the previous 12 months. None of the investigative records included notification the alleged victim/reported had been disciplined for filing the allegation.</p> <p data-bbox="242 1874 376 1904"><b>Conclusion:</b></p> <p data-bbox="242 1935 1481 2067">The Auditor discovered the facility maintains policies that align with PREA standard 115.78 Discipline Sanctions for Inmates. Facility personnel ensure the policy is applied when choosing whether to discipline an inmate for reporting or participating in an act of sexual abuse. The Auditor reviewed agency policies, procedures, interviewed staff, medical practitioners and inmates to determine the facility meets the requirements of this standard.</p>

115.81

**Medical and mental health screenings; history of sexual abuse**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility policy requires if the booking intake screening indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will ensure the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

Policy stipulates information related to sexual victimization or abusiveness that occurred in an institutional setting be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments. Policy requires medical and mental health practitioners to obtain informed consent from inmates before reporting information about prior victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.

**Evidence Relied Upon:**

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

PREA Medical Assessment

Medical PREA Screening Form

Informed Consent Form

Interviews with Medical Practitioners

Interviews with Inmates

**Analysis/Reasoning:**

The Auditor selected 20 inmates for interviews; ten inmates were specifically targeted by the Auditor while ten were randomly selected. The Auditor asked to see the records of all inmates selected for interviews. In addition, the Auditor requested the records of one transgender inmate incarcerated at the facility during the previous 12 months. Of the records reviewed, three reported previously suffering sexual abuse. The Auditor reviewed the records of the three inmates who previously suffered sexual victimization. A review of each record revealed the inmates were offered a follow-up meeting with a mental health counselor. The initial risk screening form documents the needed follow-up on the form.

The Auditor conducted formal interviews with medical practitioners. Medical practitioners stated mental health staff meets with inmates who request a meeting, are referred, or who accepts a 14-day follow-up after informing of previous victimization. Medical practitioners informed the Auditor the mental health professional is in the facility one time each week for 6 hours. During this time the mental health professional meets with inmates. The Auditor was informed the mental health professional meets with inmates within 14 days.

The Auditor asked medical practitioners who they share information relating to sexual victimization or abusiveness that occurred in an institutional setting with. Medical practitioners stated they inform security supervisory staff. Medical and mental health professionals are the only persons with access to medical/mental health records. The Auditor asked medical professionals if they share information related to sexual victimization that occurred in a community setting. The Auditor was informed they do not share that information with anyone. The Auditor asked what medical staff would do if they needed to report the information. Medical staff stated they would obtain written informed consent from the inmate prior to reporting the information.

The Auditor conducted formal interviews with one inmate who reported an allegation at the facility within the previous 12 months. The Auditor asked if a follow-up meeting with a medical or mental health practitioner was offered. The inmate stated he was not offered a follow-up meeting following the allegation. The auditor observed the facility detective determined the allegation was unfounded.

The Auditor conducted formal interviews with inmates who reported suffering sexual abuse in a community setting. Each inmate informed the Auditor they were offered a follow up with a mental health practitioner. The Auditor asked each how long it took before the meeting occurred. Those who accepted the follow up meeting informed the Auditor the meeting occurred within a couple days. The facility documented the notification to medical/mental health on the risk screening form. The meeting with the mental health practitioner is documented in each inmate's medical record.

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

electronically in the facility management system. Classification informed the Auditor they also place a telephone call to medical to make the notification.

**Conclusion:**

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

It is the policy of the Butler County Detention Facility to ensure inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of treatment and services are determined by the medical and mental health practitioners according to their professional judgement. The facility offers victims of sexual abuse timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, post-incident treatment to reduce the risk of sexually transmitted diseases or pregnancy, in accordance with professionally accepted standards of care, where medically appropriate.

Policy requires security staff members to take preliminary steps to protect a victim when no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made. BCDF staff is required to immediately notify the appropriate medical and mental health practitioners. The facility does maintain 24-hour medical coverage.

**Evidence Relied Upon:**

Policy – 116.14 – Medical and Mental Health Services pg. 1

Sexual Abuse Response Checklist

Investigative Records

Training Records

Interviews with Medical professionals

Interview with Sexual Assault Nurse Examiner

Interviews with First Responders

**Analysis/Reasoning:**

The Auditor conducted formal interviews with medical practitioners. Medical practitioners were asked if they feel medical services provided at the Butler County Detention Facility are consistent with a community level of care. Each medical practitioner interviewed stated they feel services are consistent with a community level of care. The Auditor asked if there is ever a time when no medical practitioner is on duty. The Auditor was informed no medical practitioners are at the facility between 10 p.m. and 5 a.m. The facility does not provide 24-hour coverage at the BCDF. During off-hours the Shift Commander contacts the on-call provider. Each security staff member at the facility is certified in CPR and First Aid in the event needed.

The Auditor was informed inmates at the BCDF receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The Auditor asked medical personnel if they offer timely information and access to sexually transmitted infection prophylaxis to inmates who suffer sexual abuse while incarcerated. The Auditor was informed the information and access is offered to sexual abuse victims. The Auditor was informed information and access to sexually transmitted infection prophylaxis is offered during the forensic examination and by medical practitioners when appropriate. Medical staff will offer access to sexually transmitted infection prophylaxis if a victim refuses to undergo a forensic examination. Female inmates are offered emergency contraception during the forensic examination.

There have been no allegations in the previous 12 months requiring an inmate to be transported for forensic evidence collection by a SANE. There have been no allegations in the previous 12 months requiring immediate medical attention as a result of sexual abuse. The Auditor reviewed the investigative records of two alleged sexual abuse incidents. Neither of the allegations required the inmate be transported for forensic evidence collection or for immediate medical attention. Both were allegations against a staff member. In both cases, it was determined that no inappropriate physical contact had occurred. Both allegations were unfounded by the detective.

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

The Auditor interviewed staff who would potentially perform the duties of first responder to incidents of sexual abuse. Each staff member stated they immediately separate the alleged victim from the alleged abuser and contact their supervisor.

Supervisors interviewed by the Auditor stated they immediately escort the alleged victim to the medical area for treatment. The Auditor asked first responders what they would do if a supervisor did not report to the area. They stated they would ensure the victim was immediately sent to medical for treatment.

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

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

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

**Conclusion:**

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The BCDF policy is to offer medical and mental health evaluations and treatment services, as appropriate, to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. Policy stipulates, as appropriate, the evaluations and treatments include the following:

- Follow-up services;
- Treatment plans; and
- Referrals for continued care following transfer to, or placement in, other facility, or their release from custody.

The BCDF policy mandates pregnancy tests for sexually abusive vaginal penetration, timely and comprehensive information about and timely access to all lawful pregnancy-related services, such as prenatal care and access to pregnancy termination services. Policy stipulates inmate victims of sexual abuse while incarcerated will be offered tests for sexually infections, as medically appropriate. The policy requires medical and mental health services be provided consistent with a community level of care.

All medical and mental health treatment services are provided to inmate victims of sexual abuse without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

**Evidence Relied Upon:**

Policy – 116.14 – Medical and Mental Health Services pg. 1-2

Sexual Abuse Response Checklist

Review of Inmate Records

Interviews with Medical Practitioners

Interviews with Inmates

**Analysis/Reasoning:**

The facility's Sexual Abuse Response Checklist requires the agency Detective to escort the victim to medical for a medical/mental health evaluation. The checklist also requires the shift supervisor to ensure the victim is evaluated by medical/mental health after conclusion of medical treatment.

The Auditor conducted formal interviews with medical practitioners. Medical practitioners do not stipulate a minimum or maximum amount of time they meet with victims and abusers. The Auditor was informed mental health personnel meet with victims and abusers when medically necessary. The Auditor asked what services are provided to inmate victims of sexual abuse. Mental health personnel conduct counseling sessions, make referrals to the psychiatrist or psychologists if needed, perform treatments, follow-up services, and referrals for continued care when needed. The Auditor asked if medical and mental health practitioners develop and follow treatment plans for inmate victims of sexual abuse. The Auditor was informed treatment plans are created and followed. Medical personnel stated they do offer tests for sexually transmitted infections.

The Auditor asked each medical practitioner if they feel their services are consistent with a community level of care. The Auditor was informed services are consistent with a community level of care. The Auditor was informed they feel access to services are better than access in the community. Medical personnel informed inmates are offered testing for sexually transmitted infections following a sexual abuse incident. Lawfully related pregnancy services are offered to female victims of sexual abuse. The facility offers pregnancy tests when appropriate. The Auditor was informed by medical practitioners that inmates are not charged a fee for services related to sexual abuse victimization. The Auditor asked if mental health personnel meet with abusers to determine the underlying cause for their actions. The Auditor was informed they do attempt to meet with the abusers but cannot force them to participate if they deny.

The Auditor conducted formal interviews with inmates who reported suffering sexual abuse in a community setting. The Auditor asked if each inmate was offered mental health services after reporting the victimization. Each inmate was offered mental health services following the notification. A review of each inmate's record revealed they were offered a meeting with a mental health professional. Some of the inmates receive on going mental health services while others refused services.

The Auditor conducted an interview with one inmate who filed an allegation at the facility during the previous 12 months. The incident did not require immediate medical treatment. The inmate was offered a meeting with the mental health counselor and declined such. The facility detective determined the allegation was unfounded.

The facility has not had a substantiated incident of sexual abuse during this audit period. There was no inmate at the facility who was charged a fee for services related to sexual abuse treatment or services.

**Conclusion:**

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

115.86	<b>Sexual abuse incident reviews</b>
	<p data-bbox="240 143 740 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 208 451 239"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1484 432">The Butler County Detention Facility policy is to conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, unless the allegation was determined unfounded. The incident review is required to be conducted within 30 days and the report submitted to the PREA Coordinator and facility head. The BCDF policy requires the review team consist of upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.</p> <p data-bbox="240 461 914 492">Facility policy requires the review team conduct the following tasks:</p> <ul data-bbox="284 539 1484 902" style="list-style-type: none"> <li>• Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;</li> <li>• Consider whether the incident or allegation was motivated by race, ethnicity, gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;</li> <li>• Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;</li> <li>• Asses the adequacy of staffing levels in that area during different shifts;</li> <li>• Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and</li> <li>• Prepare a report of its findings, including determinations made pursuant to this section [of policy], and any recommendations for improvement and submit the report to the facility head and the agency PREA Coordinator.</li> </ul> <p data-bbox="240 931 489 963"><b>Evidence Relied Upon:</b></p> <p data-bbox="240 987 794 1019">Policy – 116.19 – Sexual Abuse Incident Reviews pg. 1</p> <p data-bbox="240 1046 472 1077">PREA Incident Review</p> <p data-bbox="240 1104 426 1135">Investigation Files</p> <p data-bbox="240 1162 699 1193">Interview with Incident Review Team Member</p> <p data-bbox="240 1220 467 1252"><b>Analysis/Reasoning:</b></p> <p data-bbox="240 1276 1461 1438">The Auditor reviewed ten investigative records. Of the investigative records reviewed, all had been completed by the Detective. The Auditor observed the facility was not required to conduct an Incident Review in any of the cases. Of the ten investigative records, two were allegations of sexual abuse. Both allegations were unfounded by the facility detective. Although not required, the Auditor observed the facility conducted an incident review following the conclusion of one of the allegations.</p> <p data-bbox="240 1464 1493 1597">A review of the Sexual Abuse Incident Review form completed by the review team revealed the team conducted the review in accordance with the agency policy. The agency policy does include the elements of this standard for the team to consider when conducting its incident review. The Auditor observed the Incident Review was conducted within 30 days after the conclusion of the investigation. The PREA Coordinator and facility head were present during the Incident Review.</p> <p data-bbox="240 1624 1493 1854">The Auditor conducted a formal interview with an Incident Review Team member. The team member informed the Auditor the team is required to review each alleged incident to identify problems and address concerns to improve the overall prevention, detection, and response efforts of the facility. The team member informed the Auditor they review the area of the incident, discuss the need for policy changes, review the staffing level, and the deployment of monitoring technologies. The Auditor asked the team member if the team considers whether the incident was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, perceived status, gang affiliation, or other group dynamics. The Auditor was informed the team does such.</p> <p data-bbox="240 1881 1445 1980">The team member stated each review is conducted within 30 days of the conclusion of an investigation. The Auditor was informed medical/mental health, investigator, and line supervisors have input into the review. The Auditor discovered medical/mental health and the investigator do not actively participate in the review.</p> <p data-bbox="240 2007 376 2038"><b>Conclusion:</b></p> <p data-bbox="240 2063 1461 2161">The Auditor determined the facility is prepared to conduct incident reviews within 30 days of the conclusion of each substantiated and unsubstantiated sexual abuse investigation. The Incident Review Team understands the requirement to document the performance of each incident review. The Auditor reviewed agency policies, procedures, Incident Review</p>

Report, and conducted an interview with an Incident Review Team Member to determine the facility meets the requirements of this standard.

The Auditor made a recommendation to the Facility Head and PREA Coordinator to include the investigator and medical/mental health in the active review process. The Auditor recommends the facility considered allowing medical/mental health practitioners and the investigator to be present during the incident review and to sign the Incident Review form.

115.87	<b>Data collection</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p>BCDF policy requires staff collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. Policy requires the data be aggregated annually and include at least minimal information to be able to complete the U. S. Department of Justice’s, Survey of Sexual Violence. The PREA Coordinator is responsible for compiling data utilizing incident-based documents, including reports, investigative files, and sexual abuse incident reviews. The data is compiled using a standardized instrument and set of definitions. Policy requires the BCDF submit the Survey of Sexual Violence by June 30 to the Department of Justice.</p> <p><b>Evidence Relied Upon:</b></p> <p>Policy – 116.23 – Data Collection and Review for Corrective Action pg. 1</p> <p>Policy – 116.1 – Zero Tolerance Policy/PREA Coordinator pg. 1-3</p> <p>PREA Data Collection Checklist</p> <p>Survey of Sexual Violence</p> <p>Annual Report</p> <p>Agency Website</p> <p>Interviews with Staff</p> <p><b>Analysis/Reasoning:</b></p> <p>The Auditor reviewed the facility’s 2014 through 2021 Annual Reports published on the Butler County website. The reports are easily accessible as the agency’s website is simple to navigate. The data collected included definitions of the following:</p> <ul style="list-style-type: none"> <li>• Nonconsensual Sexual Acts</li> <li>• Abusive Sexual Contact</li> <li>• Sexual harassment by Another Inmate</li> <li>• Staff Sexual Misconduct</li> <li>• Staff Sexual Harassment</li> </ul> <p>Data reviewed by the Auditor for each report is aggregated from January 1st to December 31st and the public has access to the agency’s reports through its website. All reports are completed by the PREA Coordinator. The Butler County Sheriff approves and signs each report prior to placement on the agency website.</p> <p>The Auditor reviewed the U.S. Department of Justice, Survey of Sexual Violence. When requested by the Department of Justice, the report is completed and submitted to the U. S. Department of Justice by a facility Captain. The Captain is required by the agency to submit the survey before June 30th of the report year. The agency has not been asked to submit the Survey of Sexual Violence during this audit period.</p> <p>The Auditor reviewed the agency’s PREA Data Collection Checklist. The checklist is completed by the PREA Coordinator following each allegation. The checklist includes information sufficient to answer questions on the Survey of Sexual Violence; data in the checklist is utilized by the agency for such purpose. The facility utilizes the checklist to compile data for its annual report. The Auditor compared data collected on the checklist with the U.S. Department of Justice, Survey of Sexual Violence. The data collected by the facility is sufficient to answer all questions on the Survey of Sexual Violence.</p> <p>The Auditor conducted a formal interview with the PREA Coordinator. The PREA Coordinator compiles the data for the facility annually. The PREA Coordinator completes an annual report of the collected data. All data is maintained in the PREA Coordinator’s office in a locked drawer. The PREA Coordinator utilizes data compiled from Incident Reports, investigations, Incident Reviews, and the PREA Data Collection Checklist.</p> <p><b>Conclusion:</b></p> <p>The Auditor observed evidence the facility is collecting and aggregating sexual abuse data annually. The reported data utilizes a standardized set of definitions. The Auditor reviewed agency policies, procedures, Survey of Sexual Violence, annual report, agency website and determined the facility meets the requirements of this standard.</p>

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

The Butler County Detention Facility policy requires a review of collected and aggregated data in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. The data review is conducted to:

- Identify problem areas;
- Take corrective action on an ongoing basis; and
- Prepare an annual report of BCDF findings and corrective actions for each facility, as well as the agency as a whole.

Policy requires the data review report include the following:

- A comparison of the current year's data and corrective actions with prior years;
- Provide an assessment of BCDF's progress in addressing sexual abuse;
- Must be approved by the Sheriff; and
- Must be readily available to the public through the website.

Policy allows BCDF to redact specific material from the report when publication would present a clear and specific threat to the safety and security of a facility. Any redactions must be documented in the report to indicate the nature of the material redacted.

**Evidence Relied Upon:**

Policy – 116.23 – Data Collection and Review for Corrective Action pg. 1-2

PREA Annual Report

PREA Data Collection Checklist

Agency Website

Interviews with Staff

**Analysis/Reasoning:**

The Auditor reviewed the BCDF website. The agency maintains annual reports that include its findings and corrective actions for the Butler County Detention Facility. Each report is accessible through the agency website by accessing the "Detention Facility PREA Information" link. Each report is hyperlinked by year. The reports published on the facility's website include data collected and compared from 2014 through 2021.

A review of each PREA Annual Report reveals the agency attempts to discover problem areas within the facility based on a review of data collected by the Detective and PREA Coordinator. The agency's annual report includes corrective actions taken in the facility. The 2021 annual report found no corrective actions needed in the Butler County Detention Facility. The 2021 annual report includes the following actions:

- "Held Staffing Plan Review Meeting in December to ensure that we address and maintain security/safety while addressing pandemic concerns.
- Ensure to continue training new hires in PREA through the facility Deputy Field Training Program Manual; classroom training limited due to Covid Pandemic.
- Refresher Training for all staff via Employee PREA Training Manual; due to classroom training limited due to Covid Pandemic.
- Continued providing inmates information regarding PREA via video, posters and written and verbal formats to combat sexual victimization.
- Facility received a new Detective and he completed the PREA Specialized Investigations Training."

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

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

**Conclusion:**

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

115.89	<p><b>Data storage, publication, and destruction</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>The facility's policy requires sexual abuse data is securely retained. Policy requires all aggregated sexual abuse data be readily available to the public at least annually on its website. Policy stipulates personal identifiers will be removed. The BCDF requires sexual abuse data is maintained for at least 10 years after the date of initial collection, unless Federal, State, or local law requires otherwise.</p> <p><b>Evidence Relied Upon:</b></p> <p>Policy – 116.23 – Data Collection and Review for Corrective Action pg. 3</p> <p>Agency Website</p> <p>Annual Report</p> <p>Interviews with Staff</p> <p>Observations</p> <p><b>Analysis/Reasoning:</b></p> <p>The Auditor conducted a formal interview with the PREA Coordinator. Information for the facility's annual report is maintained by the PREA Coordinator in her locked office in a locked drawer. The facility Detective maintains data in his locked office in a locked drawer and on a computer protected with a username and password. The PREA Coordinator stated she maintains collected data for a minimum of 10 years after the data is collected.</p> <p>The Auditor reviewed the agency's website. The website included annual sexual abuse data collection in an annual report published on the website. The BCDF maintains all annual reports on its website from 2014 through 2022. The Auditor reviewed the sexual abuse data published on the website and found no personal identifiers within. The Auditor was informed sexual abuse and sexual harassment data is maintained for a minimum of 10 years after collection.</p> <p><b>Conclusion:</b></p> <p>The Auditor reviewed the agency website, collected data, made observations, and interviewed staff to determine the facility meets the requirements of this standard.</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 1474 365">The Butler County Sheriff's Office operates one facility. The agency has ensured its facility was audited at least once during the first two audit cycles. The facility was audited in August 2016 and again in September 2019. This audit was conducted during the first year of this audit cycle.</p> <p data-bbox="242 394 488 423"><b>Evidence Relied Upon:</b></p> <p data-bbox="242 452 533 481">Previous PREA Audit Report</p> <p data-bbox="242 510 376 539">Observations</p> <p data-bbox="242 568 461 598">Interactions with Staff</p> <p data-bbox="242 627 467 656"><b>Analysis/Reasoning:</b></p> <p data-bbox="242 685 1485 808">The Auditor was provided and reviewed all relevant agency policies, procedures, documents, reports, internal and external audits to assist with rendering a decision on the facility's level of compliance with relevant standards. The Auditor reviewed a relevant sampling of documentation from the previous 12-month period. The facility provided the Auditor with a detailed tour and allowed the Auditor full access of the facility.</p> <p data-bbox="242 837 1474 1037">The Auditor requested and was provided copies of additional documents to aid in a determination of the facility's level of compliance. The Auditor conducted formal and informal interviews with staff and inmates. The facility provided a private office for the Auditor to conduct formal interviews with staff and inmates. The Auditor reviewed video to ensure inmates had the ability to take a shower, change clothes and use the restroom without staff of the opposite gender seeing them fully naked. Video was reviewed to ensure staff could not observe directly into restroom and shower areas. Inmates were provided the opportunity to correspond with the Auditor prior to and after arriving on site.</p> <p data-bbox="242 1066 1474 1189">The Auditor reviewed the Butler County Detention Facility's previous PREA audit report and observed the facility was found compliant with all standards. The previous Auditor was allowed access to all facility areas, able to conduct interviews with staff and inmates, was provided with facility documents and allowed inmates the ability to communicate confidentially with the Auditor.</p> <p data-bbox="242 1218 1425 1283">The Auditor communicated with the SANE and community-based victim advocates regarding relevant conditions in the facility during the audit process.</p> <p data-bbox="242 1312 1479 1473">On June 28, 2021, the Auditor sent a letter to be posted in all inmate housing units. The audit notice included the Auditor's address and a statement informing inmates of the ability to communicate confidentially with the Auditor. The Auditor sent an English and Spanish version of the notice. The Auditor received no correspondence from inmates prior to arriving on site for the audit. The Auditor observed confidential correspondence notices posted in each inmate living unit and services areas throughout the facility. The notices to inmates were posted by the PREA Coordinator on June 30, 2021.</p> <p data-bbox="242 1503 1468 1565">The Department of Justice did not send a recommendation to the Butler County Detention Facility for an expedited audit of the facility or referral to resources for assistance during this audit cycle.</p> <p data-bbox="242 1594 376 1624"><b>Conclusion:</b></p> <p data-bbox="242 1653 1249 1682">The Auditor determined the Butler County Detention Facility meets the requirements of this standard.</p>

115.403	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Auditor Discussion:</b></p> <p>The agency has published the previous PREA Audit report of the Butler County Detention Facility on its website.</p> <p><b>Evidence Relied Upon:</b></p> <p>Agency Website</p> <p>Previous PREA Audit Report</p> <p><b>Analysis/Reasoning:</b></p> <p>The Auditor reviewed the agency's website which includes a link for its previous PREA Audit reports. The agency has published two prior audit reports of the facility.</p> <p><b>Conclusion:</b></p> <p>The Auditor determined the agency meets the requirements of this standard.</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.)	yes
<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)	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication 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)	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes

<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
<b>115.17 (a)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who 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.)	na
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

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

<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.)	na
<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?	yes
<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish 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).	na
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	na
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior 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.)	yes
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
<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