

PREA Facility Audit Report: Final

Name of Facility: Barnstable County Correctional Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 07/21/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: AMY JO FAIRBANKS	Date of Signature: 07/21/2022

AUDITOR INFORMATION	
Auditor name:	Fairbanks, Amy
Email:	fairbaa@comcast.net
Start Date of On-Site Audit:	05/09/2022
End Date of On-Site Audit:	05/10/2022

FACILITY INFORMATION	
Facility name:	Barnstable County Correctional Facility
Facility physical address:	6000 Sheriff's Place, Bourne, Massachusetts - 02532
Facility mailing address:	

Primary Contact	
Name:	Peter Monteiro
Email Address:	pmonteiro@bsheriff.net
Telephone Number:	508.563.4445

Warden/Jail Administrator/Sheriff/Director	
Name:	Robert Ahonen, Superintendent
Email Address:	rahonen@bsheriff.net
Telephone Number:	508.563.4426

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

Facility Health Service Administrator On-site	
Name:	Charmaine Thomas
Email Address:	chathomas@wellpath.us
Telephone Number:	908.578.5076

Facility Characteristics	
Designed facility capacity:	588
Current population of facility:	163
Average daily population for the past 12 months:	168
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	18 - 86
Facility security levels/inmate custody levels:	Minimum/Medium/Maximum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	183
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	10
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	94

AGENCY INFORMATION	
Name of agency:	Barnstable County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	600 Sheriff's Place , Bourne, Massachusetts - 02532
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
Name:	Peter Monteiro	Email Address:	pmonteiro@bsheriff.net

SUMMARY OF AUDIT FINDINGS	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
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:	2022-05-09
2. End date of the onsite portion of the audit:	2022-05-10

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:	JDI, PLS, Independence House

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	588
15. Average daily population for the past 12 months:	168
16. Number of inmate/resident/detainee housing units:	11
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	164
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:	2
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:	21
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0

41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	1
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	0
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	1
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:	1
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:	9
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):	Numbers were provided by reviewing inmate rosters or discovered during the interview.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
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:	88
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:	6
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:	0
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.
INTERVIEWS	
Inmate/Resident/Detainee Interviews	
Random Inmate/Resident/Detainee Interviews	

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	10
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	The auditor was provided information on the racial/ethnic and gender makeup of the facility on the day of the audit. Rosters were provided that reflected age, alphabetically and date of booking. Inmates were selected based on these factors and location so that at least one was interviewed 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):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	10
<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:	2
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:	2

<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>A list was provided that reflected the current medical needs of the inmates present on the day of the audit.</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The auditor did not observe or hear any information that was contrary to this report during the onsite audit.</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>1</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>1</p>

68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:	3
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:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
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).	The auditor interviewed two staff who work in restrictive housing areas regarding their experiences of housing any inmate in them who was an alleged victim of sexual abuse or a high risk of sexual victimization.
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	No text provided.
Staff, Volunteer, and Contractor Interviews	
Random Staff Interviews	
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 type="checkbox"/> Rank (or equivalent) <input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
If "Other," describe:	Gender, race, ethnicity, spoke additional languages
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.
Specialized Staff, Volunteers, and Contractor Interviews	
Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.	
75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	20
76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input 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>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</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 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 type="checkbox"/> First responders, both security and non-security staff</p> <p><input checked="" type="checkbox"/> Intake staff</p> <p><input checked="" type="checkbox"/> Other</p>
<p>If "Other," provide additional specialized staff roles interviewed:</p>	<p>Training Coordinator, Volunteer Coordinator, teacher</p>
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>a. Enter the total number of CONTRACTORS who were interviewed:</p>	<p>3</p>

<p>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Security/detention</p> <p><input type="checkbox"/> Education/programming</p> <p><input checked="" type="checkbox"/> Medical/dental</p> <p><input checked="" type="checkbox"/> Food service</p> <p><input type="checkbox"/> Maintenance/construction</p> <p><input type="checkbox"/> Other</p>
<p>83. Provide any additional comments regarding selecting or interviewing specialized staff.</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>84. Did you have access to all areas of the facility?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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Was the site review an active, inquiring process that included the following:

<p>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)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>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)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>88. Informal conversations with staff during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>No text provided.</p>

Documentation Sampling

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

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

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

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

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	1	0	1	0
Staff-on-inmate sexual harassment	1	0	1	0
Total	2	0	2	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

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

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	1	0	0
Staff-on-inmate sexual harassment	0	1	0	0
Total	0	2	0	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	0
a. Explain why you were unable to review any sexual abuse investigation files:	There were no sexual abuse allegations; the auditor did not find any evidence to dispute this during the audit process.
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 type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)
Inmate-on-inmate sexual abuse investigation files	
100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	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)
Staff-on-inmate sexual abuse investigation files	
103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	0
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
Sexual Harassment Investigation Files Selected for Review	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	3

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

<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>1</p>
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<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files) </p>
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<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p> <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files) </p>
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Staff-on-inmate sexual harassment investigation files

<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>1</p>
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<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p> <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 harassment investigation files) </p>
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<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p> <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 harassment investigation files) </p>
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<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>No text provided.</p>
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SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

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

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

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

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Organization Chart · Interview with the PREA Coordinator · Interview with the Special Sheriff · Interview with the Superintendent · Observations during the audit · Frequently Asked Questions - Clarification of Application to PREA Standards Provisions (FAQ) <p>The following policy excerpts demonstrate the facility' commitment to the requirements of zero tolerance for sexual abuse and harassment as well as an outline for preventing, detecting, and responding to allegations of sexual harassment and abuse.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA)</p> <p><i>POLICY:</i></p> <p><i>The purpose and scope of this policy is to provide guidelines to address prohibited and/or illegal sexually abusive behavior involving inmate perpetrator against inmate victim or Sheriff's Office employee, contractor or volunteer perpetrator against an inmate victim.</i></p> <p><i>Barnstable County Sheriff's Office (hereinafter 'Sheriff's Office') is committed to Zero Tolerance prevention and elimination of sexual abuse perpetrated against inmates by staff members or other inmates. Meeting the objectives set forth within the Prison Rape Elimination Act of 2003 is a major priority for the Sheriff's Office and an ongoing focus for staff efforts at all levels of this organization.</i></p> <p><i>The Sheriff's Office is committed to investigating, disciplining and referring for prosecution, Sheriff's Office employees, contractors, volunteers and inmates who engage in sexually abusive behavior. This policy is intended to complement and not replace or contradict Policy 220.04 Staff Sexual Misconduct with Inmates.</i></p> <p><i>The goals of this policy are to:</i></p> <p><i>Increase the timely reporting of incidents by Sheriff's Office employees, contractors or volunteers and inmates;</i></p> <p><i>Develop a process to identify and manage inmates who are potential predators or victims;</i></p> <p><i>Provide ongoing education to Sheriff's Office employees, contractors and volunteers regarding their responsibility toward prevention, intervention, and reporting when incidents are observed or made known to them;</i></p> <p><i>Provide effective and ongoing orientation to inmates regarding how to avoid victimization and how to report incidents of sexual abuse;</i></p> <p><i>Provide for a thorough investigation of reported incidents and certain discipline and /or prosecution of perpetrators when appropriate;</i></p> <p><i>Provide effective short and long term treatment for victims of sexually abusive behavior.</i></p> <p><i>APPLICABILITY:</i></p> <p><i>This policy applies to all Sheriff's Office managers, employees, volunteers/student interns and contracted personnel.</i></p> <p><i>PREVENTION</i></p> <p><i>All Sheriff's Office employees, contractors and volunteers, are responsible for contributing to the prevention of sexually abusive behavior perpetrated by staff on inmate, inmate on staff or by inmate on inmate as outlined in this policy.</i></p>

The Sheriff's Office shall be responsible for planning and implementing measures to prevent sexually abusive behavior from occurring. The Sheriff's Office strives to create a safer environment for employees, contractors and inmates, which is free from sexual harassment and exploitation. In this regard, the Sheriff's Office shall provide for the following resources and practices:

Training and Education

Identification, Reporting, and Screening During Admission

Inmate Education

Public Education

Classification

DATA COLLECTION and ANALYSIS

INTERVENTION

(a) Policy, as illustrated above, outlines the commitment to, goals for achievement and efforts to prevent, detect and respond to sexual abuse and sexual harassment. The complete policy is twenty-five (25) pages and documents in detail how the agency will comply with all the PREA standards and are additionally noted throughout this report. Definitions of prohibited behaviors are addressed in this policy (and noted in the narrative to standard 115.87).

(b) The organization chart demonstrates that the Assistant Superintendent /PREA Coordinator reports directly to the Superintendent. During his interview, he indicated he has been actively involved in the efforts to prevent, detect and respond to sexual abuse and sexual harassment since being assigned to the position. He affirmed that he has the time and authority to ensure such efforts are met. The interview with the PREA Coordinator and Superintendent confirmed to the auditor that the PREA Coordinator is given authority to work directly with the Superintendent, security, medical/mental health staff and investigators on any PREA issues that arise in his role as the PREA Coordinator. This was evident to the auditor during the on-site audit.

(c) The agency only operates one facility and has not appointed a PCM.

Summary of evidence to support a finding of compliance: The auditor requested, and the facility complied with adding sexual harassment to the policy to ensure there is no confusions regarding prevention, detection and response of this behavior. Interviews with the Special Sheriff and Superintendent provided assurance to the auditor that the law and the requirements to prevent, detect and respond to sexual abuse, sexual harassment and retaliation are an integral part of the operations at this facility. Interview with the PREA Coordinator demonstrated a commitment to compliance with all PREA standards, demonstrating during interviews and observations he has authority. As clarified by the FAQ December 18, 2015, The PREA Coordinator has direct access to the Superintendent, direct access to the senior leadership and influence necessary to create and implement policies, procedures and practices as will be illustrated in the changes requested to policy and practice that were implement. The auditor finds there is sufficient evidence to support a finding of compliance.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · Observations · Interview with the Special Sheriff and PREA Coordinator · PAQ <p>The PAQ indicated that there is no contract for the confinement of inmates since the last PREA audit.</p> <p>Summary of evidence to support a finding of compliance:</p> <p>The PAQ indicates there are no contracts during the PREA audit cycle for confinement of inmates. Interviews with the Special Sheriff and PREA Coordinator confirmed they do not contract for the confinement of inmates with a private entity. The auditor found no reason to dispute this during the audit process. Therefore, this standard is not applicable – compliant.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1286 297">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="240 331 1286 869" style="list-style-type: none"> · 204.01 Staffing Analysis · Interview with the Superintendent · Interview with the PREA Coordinator · Staffing Plan Annual Review/video monitoring review · Randomly requested Staffing Rosters · Interviews with Supervisors formal and informal - (Captain and Lieutenant) · Observation of and documentation of rounds on video monitoring, random date selected by auditor · Random staff interviews · Informal interview with programming staff · PAQ <p data-bbox="240 902 1469 996">The PAQ indicates that the average daily population since the last PREA audit is 211. The staffing plan is predicated on an inmate population of 211. Reasons for deviation from the staffing plan include reassignment of officer, female coverage requirement, training needs, vacant housing units and senior supervisor posts.</p> <p data-bbox="240 1028 1493 1355"><i>204.01 Staffing Analysis states, POLICY: The purpose of this document is to establish a Barnstable County Sheriff's Office (BCSO) policy and procedure that addresses the workload requirements by use of a security staff post analysis for categories of personnel assigned to security posts for the BCSO. To assure an accurate review process exists for workload requirements, this tool provides staff to be deployed for inmate and staff safety, accessibility to program services, and adequate supervision of any activity undertaken within the Barnstable County Correctional Facility. The Barnstable County Correctional Facility's inmate population includes females and males. Therefore, at least one female and one male staff member shall be on duty at all times. In consultation with the PREA Coordinator, the BCSO shall assess, determine and document any adjustments needed to the Staffing Plan based on: 1) any PREA based factors outlined in PREA standard 115.13a, 2) the facilities video monitoring system and other monitoring technologies, 3) the resources available to commit to ensure adherence to the Staffing Plan.</i></p> <p data-bbox="240 1386 1203 1413">(a) The interview with the Superintendent and review of the staffing plan confirmed the following:</p> <ol data-bbox="240 1444 1493 2161" style="list-style-type: none"> (1) The facility has been accredited through the American Correctional Association (ACA) and is maintaining correctional operations based on those standards. (2) There are no judicial findings of inadequacy; (3) There are no findings of inadequacy from federal investigative agencies; (4) There are no findings of inadequacy from internal or external oversight bodies; The auditor was informed that the Massachusetts Department of Correction conducts audits twice yearly to analyze and assess operations. The Superintendent confirmed that no deficiencies have been noted requiring a change in operations. (5) All components of the facility's physical plant are reviewed. Video monitoring is used; specific information regarding placement of cameras was reviewed during the audit. (6) The composition of the inmate population has been the same for several years. However, staff indicated that the trend is towards a decrease in sentenced inmates and an increase in pre-trial offenders. (7) The number and placement of supervisory staff has been reviewed and determined to be adequate. Review of rounds and staffing occur regularly. (8) Institution programs occurring on a particular shift has a detailed evaluation of the time and days of the programs occurring. The auditor informally interviewed the teacher who works in the evening and she confirmed that staffing is present. (9) Any applicable State or local laws, regulations, or standards are reviewed. Staff discuss with the auditor that changes that

were implemented with the 2018 Crime Reform Act that affected restrictive housing, medication administration for substance abusers, treatment/ searches of transgenders and other areas.

(10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse are addressed. This is additionally analyzed in the Annual Report.

(11) No other relevant factors have been identified.

(b) It was reported and confirmed through review of randomly requested staffing rosters that overtime is used to ensure that all positions are filled. Random staff interviews confirmed that they work overtime and are from time to time mandated to work overtime to ensure staff positions are filled. During the audit, the auditor observed that the facility has no obvious blind spots, staff were assigned to posts, staff stations provide direct supervision of the housing unit, camera coverage is excellent. The physical plant has remained the same.

(c) Policy, interviews with the Superintendent and the PREA Coordinator confirmed this staffing review is conducted. Review of the staffing plan confirmed that video monitoring, number and placement of supervisors, prevalence of substantiated and unsubstantiated incidents of sexual abuse, and resources are reviewed annually. No changes were implemented, the auditor supports that the analysis was credible to conclude this.

(d) The auditor asked staff during random interviews if the supervisor comes through the unit regularly, if the time was the same every day and if anyone is alerting them to the rounds being conducted by the supervisor. All interviews confirmed that they do not know when the supervisor is coming to their assigned post for the check, and they are not being alerted to the supervisor making rounds. Additionally, they confirmed knowledge that they are not to alert others when the supervisor is making rounds. Formal and informal interviews with supervisor staff confirmed to the auditor that they conduct rounds at different times, different directions and do not believe that staff have been alerted to their rounds. The auditor requested and reviewed documentation and video support demonstrating unannounced rounds for March 1, 2022, providing further evidence of compliance with this provision.

Summary of evidence to support a finding of compliance: Review of the policies, staffing plan, and random selection of rosters support compliance. Interviews with staff such as corrections officers, supervisors, Superintendent and PREA Coordinator all supported a finding of compliance. Randomly requested documentation of unannounced rounds and overall observations during the audit process did not lead to any evidence that would indicate non-compliance.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 318">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <p data-bbox="229 318 1509 380">Part I, Title XVII, Chapter 119 and Section 58</p> <p data-bbox="229 380 1509 497">Part I, Title XVII, Chapter 119 and Section 58 effective September 2013 requires offenders under the age of 18 to be confined to the Department of Youth Services, this is referred to as the Raise the Age Bill. During the audit, neither auditor saw nor heard anything to dispute that no youths are housed at this facility.</p> <p data-bbox="229 497 1509 560">Summary of evidence to support a finding of compliance:</p> <p data-bbox="229 560 1509 642">The law prevents the facility from housing inmates under the age of 18 yrs. Old. Observations and policy confirm this to be true and therefore it is deemed not applicable – compliant.</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · 305.01 Searches and Contraband · Training Curriculum - Searches · Training Records · Electronic logbook entries noting "PREA Announcement" · Interviews with random staff · Interviews with random inmates · Interviews with supervisory staff · Interviews with female security staff · Observations · Review of video monitoring · PAQ · Frequently Asked Questions - Clarification of Application to PREA Standards Provisions (FAQ) <p>The PAQ indicates that there has been no cross-gender strip or cross-gender visual body cavity searches of inmates, no cross-gender strip or cross-gender visual body cavity searches of inmates that did not involve exigent circumstances or were performed by non-medical staff.</p> <p>The following policy excerpts support compliance with the provisions of this standard:</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA)</p> <p><i>Inmates shall be able to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia except in exigent circumstances which shall be documented in the electronic management system. Cells and shower doors are designed to prevent casual viewing of inmates showering, performing bodily functions and changing clothes.</i></p> <p><i>Staff of the opposite gender shall have their presence announced when entering an inmate housing area. This announcement is to be entered in electronic inmate management system. For deaf or language barrier inmates a laminated card indicating "Male in unit / Female in unit" as appropriate will be available in each unit. This card will be shown to the affected inmate when there is a change of gender in the unit. Specific languages will be addressed during the booking process. Google Translate can be utilized to acquire translation of "Male in unit / Female in unit". The ADA Coordinator shall be contacted via email to inform them of such special needs to be addressed for follow up if required. The ADA Coordinator will assess each special needs request on a case-by-case basis and determine an individual case plan suitable to address each need. Examples include but are not limited to verbal information provided to a blind inmate and written information provided to a deaf inmate, etc.</i></p> <p><i>Cross gender strip/pat searches shall not be conducted except in exigent circumstances and shall be documented in the electronic management system. Security staff shall be trained accordingly.</i></p> <p>305.01 Searches and Contraband defines the following:</p> <p><i>Strip search: A strip search is the inspection and examination of an inmate and his/her clothing subsequent to the removal of such inmate's clothing. Strip searches may include a visual body cavity search.</i></p> <p><i>Pat search: A pat search is the inspection and examination to detect contraband on an inmate while the inmate remains fully clothed. Such a search shall include a tactile (perceptible by touch) examination for contraband through the inmates clothing and shall be employed for the relatively quick scrutiny of an inmate's person.</i></p>

Body cavity search: A manual body cavity search is a manual or instrumental examination of an inmate's body cavities to detect contraband. This type of search must be performed by licensed health services staff or licensed doctor. A visual body cavity search is a visual examination of an inmate's body cavities to detect contraband.

Body scanner: A whole body digital security imaging system for full body scans used to detect paraphernalia or contraband on an individual.

Body scans, strip and pat searches of inmates committed to the Barnstable County Correctional Facility shall be conducted in relative privacy with as much dignity as possible. The strip and pat searches shall be done by one officer of the same sex as the inmate and a second officer within ear shot. Transgender inmates shall be searched by an Officer of the same gender identity if the search requires an inmate to remove all clothing or includes a visual inspection of the anal cavity or genitals; provided, however, that the Officer's gender identity shall be consistent with the inmate's request. Cross gender strip/pat searches shall not be conducted except in exigent circumstances and shall be documented. a) Searches or physically examining a transgender or intersex inmate for the sole purpose of determining the inmate's gender status shall not be permitted. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. b) If the inmate expresses uncertainty about their gender, then the search will be conducted by officers of the same gender as the inmate's gender presentation.

(a) As indicated, policy restricts cross-gender strip searches or cross-gender visual body cavity searches except is there are exigent circumstances. The auditor observed several female officers and male officers during the onsite tour, therefore making highly it unlikely that a male would have to search a female inmate or that a female would search a male inmate. In accordance with the Crime Reform Act 2018, transgender inmates can request the gender of the person of their identity. Therefore, if a transgender is housed at this facility, she or he can request a pat search and strip search by the gender they identify, as supported in policy.

(b) The auditor concluded that programming for female detainees is not restricted as the programming is conducted in the pod where the females are housed. And, as indicated, there are several female staff who work at this facility.

(c) Policy requires that cross-gender searches be documented. The PAQ indicates there have been no cross-gender searches. The auditor found this credible during the audit process.

(d) All random staff interviews and random inmate interviews confirmed that this announcement is made every time a female staff enters the unit, or a male enters the female housing pod, and, that inmates are able to shower, use the toilet and change clothes without being seen in using the toilet, showering or changing clothes. Additionally, as observed by the auditor in the housing pods, the facility uses a large print card for those inmates that may be deaf or hard of hearing.

During the tour, the auditor observed the showers located in the individual housing units. The showers have doors to provide privacy but maintain the ability to view sufficiently to ensure safety. Additionally, during the tour the auditor observed the area where strip searches are conducted in Intake. It provided appropriate privacy for the inmate during this process, one defined area is for males and another room for females. At intake, it was described to the auditor how males and females are not in the same area; the physical plant provided for this separation. During the tour, the auditor and escort team was announced prior to entering the unit; this did not appear to be odd based on the observations of the inmates in the unit at the time. The view of the video monitoring supports that opposite gender staff cannot view buttocks, or genitalia; they do not show views of the cells, bathroom or showers. To further ensure this, the auditor asked that the monitor be zoomed into the shower in the female pod. Again, it did not disclose any views of breasts, buttock, or genitalia.

(e) As stated in the policies below, transgender or intersex offenders are not searched or physically examined to determine genital status. All staff interviews supported that they were knowledgeable regarding this requirement of the standard and this has not occurred at this facility.

(f) The auditor reviewed the training curriculum for pat searches. It is addressed in the regular PREA training. Cross-Gender/Transgender/Intersex Pat Search Guidelines. Techniques for groin and breast area are addressed. Policy and confirmation in interviews support compliance with the FAQ issued December 2016 which indicates clarification for searches of transgender/intersex inmates. Training records were provided demonstrating staff have been trained (see comments to 115.33). Additionally, per the interview with the Training Coordinator, this is provided in new officer orientation.

Summary of evidence to support a finding of compliance: Policies which support compliance, staff interviews demonstrated knowledge of these requirements from training received, the training curriculum, training records, and overall observations made during the audit process provided evidence of compliance. In accordance with FAQ clarifications, policy reflects that a transgender/intersex incarcerated individual can designate the gender of the staff to search in accordance with the inmate's self-identified gender. Interviews all confirmed that they have been appropriately trained regarding how to search transgender/intersex persons and cross-gender pat searches. Inmates are able to shower, change clothes use the toilet without opposite gender staff viewing as evidenced by staff interviews, inmate interviews, observations and review of video monitoring. The auditor observed several male and female officers, providing further evidence of the unlikelihood of having

to conduct cross gender searches. The auditor is finding this facility is compliant with this standard.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1286 300">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="240 329 1302 1104" style="list-style-type: none"> <li data-bbox="240 329 1302 358">· 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) <li data-bbox="240 387 643 416">· 440.01 Admission and Orientation <li data-bbox="240 445 555 474">· PREA In-service training <li data-bbox="240 504 593 533">· Observations during the tour <li data-bbox="240 562 636 591">· Interview with the Special Sheriff <li data-bbox="240 620 663 649">· Interviews Inmates LEP or disabled <li data-bbox="240 678 549 707">· Random staff interviews <li data-bbox="240 736 357 766">· PAQ <li data-bbox="240 795 786 824">· Language Interpretation demonstration – Arabic <li data-bbox="240 853 596 882">· Interviews with bilingual staff <li data-bbox="240 911 863 940">· Interview with the ADA Coordinator (PREA Coordinator) <li data-bbox="240 969 718 999">· Inmate Handbook – English and Spanish <li data-bbox="240 1028 828 1057">· Interview – staff who conduct orientation for inmates <li data-bbox="240 1086 699 1115">· PREA Brochure – English and Spanish <p data-bbox="240 1133 922 1162">The following policy excerpts support compliance with this standard:</p> <p data-bbox="240 1191 1484 1451"><i>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) The Sheriff's Office shall take appropriate steps to ensure that inmates with disabilities and limited English proficiency have an equal opportunity to participate in or benefit from all aspects of the Sheriff's Office efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Steps include but are not limited to providing inmates with disabilities and limited English proficiency access to the ADA Coordinator as determined during the intake process as well as interpretive services as outlined in Policy 440.01 Page 3, Section B a). Use of inmate interpreters, inmate readers or other types of inmate assistants is prohibited except in limited circumstances where an extended delay in obtaining an interpreter would compromise the inmate's safety, performance of medical duties or investigation of the inmate's allegation.</i></p> <p data-bbox="240 1480 1493 2145"><i>440.01 Admission and Orientation states, ORIENTATION: Written policy and procedure shall ensure that all newly admitted inmates receive written or oral orientation information in a language in which the inmate is fluent, to include, but not be limited to rules and regulations, disciplinary regulations, PREA, health services, mail, visiting and program services. Completion of orientation shall be documented by a statement that is signed and dated by the inmate and staff person presenting the orientation. a. For inmates with Limited English Proficiency (LEP) who speak neither English nor Spanish, efforts shall be made to utilize multi-language speaking BCSO officers and/or to contact social service agencies to provide an interpreter to assist in providing orientation information in the inmate's native language. To help identify a specific language use the attachment "I Speak..." established by the Department of Homeland Security (DHS). The Facility Shift Supervisor or their designee shall make use of the Multilingual Referral Lines (MRL) maintained by the Department of Homeland Security (DHS) to ensure the lock-up / inmate is informed of the BCSO orientation information. The list of the seven primary nonEnglish languages along with the corresponding phone numbers supported by the DHS are located below in section g. The Facility Shift Supervisor or designee will dial the number from the list and allow the lock-up / inmate to leave a message on the MRL. The MRL operator will then contact the appropriate county or state human services provider who in turn will arrange for and provide language assistance to the lock-up / inmate as needed. This shall be accomplished within a reasonable period of time. For deaf or language barrier inmates a laminated card indicating "Male in unit / Female in unit" as appropriate will be available in each unit. This card will be shown to the affected inmate when there is a change of gender in the unit. Specific languages will be addressed during the booking process. Google Translate can be utilized to acquire translation of "Male in unit / Female in unit". 4 The ADA Coordinator shall be contacted via email to inform them of such special needs to be addressed for follow up if required. b. A Completion of Orientation Form (attached) shall be documented and dated by the inmate and officer presenting the orientation. The Orientation Completion Form shall be filed in the inmate's institutional six</i></p>

part folder. c. All inmates will receive orientation and assigned staff will ensure that all inmates entering the facility have access to orientation materials. d. All inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. e. Within 30 days of intake, the agency shall provide comprehensive education to inmates 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 regarding agency policies and procedures for responding to such incidents. f. Current inmates who have not received such education shall be educated within one year of the effective date of the PREA standards and shall 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. g. Language Phone number Arabic 800-358-0377 Hmong 888-486-8377 Khmer (Cambodian) 888-468-3787 Lao 888-487-8251 Russia 888-562-5877 Somali 888-547-8829 Spanish 888-428-3438.

(a) The facility has an Americans with Disabilities Act (ADA) Coordinator who addresses all specific needs of inmates which are identified in the intake process or subsequently thereafter. This position is held by the PREA Coordinator. He confirmed that disabilities are identified at intake and appropriate accommodations are then arranged, specifically through his office. This includes devices for deaf, hard of hearing and blind or low vision inmates. The interview with the staff who conducts orientation confirmed to the auditor that this is currently conducted individually; therefore, he is able to address cognitive needs at that time to ensure that all inmates understand all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

(b) During random staff interviews, many staff are aware of the availability of bi-lingual staff or use of google translate which can be used, if needed. The facility has bilingual staff, who many indicated in their interviews, they are contacted if needed. This includes the following languages: Arabic, Spanish, Dutch, Polish and Creole. The auditor was provided the Inmate Handbook which is available in English and Spanish. Posters throughout the facility were provided in both English and Spanish. Inmates interviewed whose primary language was Spanish all indicated to the auditor that they received the guidebook in English and Spanish, and orientation in English and Spanish. The auditor was provided a demonstration of the use of google translate using an Arabic speaking staff to talk in Arabic and how it was translated. The PREA Coordinator confirmed in his interview that specific phone numbers are available for some languages, and they will utilize community resources if they are unable to provide information through those numbers or google translate.

(c) The PAQ reports that there have been no instances where an inmate was used to interpret during a PREA investigation in the previous 12 months. The auditor found no reason to dispute this fact during the audit process. All staff interviews confirmed that another inmate would not be used to interpret for an inmate making a PREA allegation or any part of the PREA requirements (intake, investigation, etc).

Summary of evidence to support a finding of compliance: Policy addresses the requirements of the standard and specifies how they will address needs of inmates with limited English and/or disabilities. Interviews with the PREA Coordinator/ADA Coordinator, staff who conducts orientation, and several bilingual staff provided additional evidence supporting a finding of compliance with all provisions of this standard.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1286 297">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="240 329 1082 871" style="list-style-type: none"> <li data-bbox="240 329 1054 356">· 201.03 Personnel Manual/Selection and Hiring/Compensation and Benefits <li data-bbox="240 387 440 414">· Observations <li data-bbox="240 445 735 472">· Interviews Chief Human Resources Officer <li data-bbox="240 504 549 530">· Employment Application <li data-bbox="240 562 1082 589">· Documents - Personnel files of those hired or promoted in the past 12 months <li data-bbox="240 620 1067 647">· Documentation randomly requested staff confirmation of background checks <li data-bbox="240 678 355 705">· PAQ <li data-bbox="240 736 564 763">· Contractor personnel files <li data-bbox="240 795 804 822">· Interview with staff hired within the last 12 months <li data-bbox="240 853 828 880">· Interview with staff who conduct background checks <p data-bbox="240 902 1474 996">The PAQ indicates that seventeen staff have been hired who may have contact with inmates in the previous twelve months. Nine contractual staff have been hired. Contractual staff are used to provide medical and mental health services and food service operations.</p> <p data-bbox="240 1028 1485 1758">201.03 Personnel Manual/Selection and Hiring/Compensation and Benefits states, <i>The agency shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. Before hiring new employees, who may have contact with inmates, the agency shall: (1) Perform a criminal background records check; and (2) 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. The agency shall also perform a criminal background record check before enlisting the services of any contractor who may have contact with inmates. The agency shall ask all applicants and employees who may have contact with inmates directly about previous misconduct described above in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The agency shall also impose upon employees a continuing affirmative duty to disclose any such misconduct. The Sheriff's Office shall conduct thorough background investigations on all potential employees, contractors and volunteers and shall not hire or promote anyone who has engaged in abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); who has been convicted of engaging in or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force or coercion, or if the victim did not consent or was unable to consent or refuse; or who has been civilly or administratively adjudicated in these types of activities. 4 The agency shall 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. The agency shall also impose upon employees a continuing affirmative duty to disclose any such misconduct. Omissions regarding said misconduct or the provision of materially false information shall be grounds for termination. Unless prohibited by law, the agency shall 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.</i></p> <p data-bbox="240 1789 1490 2018"><i>FINGERPRINT REQUIREMENTS a. The CJIS User Agreement and the FBI CJIS Security Policy require each CJIS agency to conduct fingerprint-based criminal record checks on all personnel prior to hire and at least once every five years thereafter. In addition, agencies must conduct fingerprint-based criminal record checks on all other individuals who have unescorted access to secure (non-public) areas of the agency prior to allowing access. These individuals include city/town IT personnel, contractors, vendors, custodians, and volunteers. b. These background check requests are submitted either as criminal justice employment checks (for all employees of the department) or as criminal justice checks (all non-employees) and can be done on your live-scan fingerprinting device. There is no fee for these checks.</i></p> <p data-bbox="240 2049 1481 2143"><i>THIRD PARTY INQUIRIES INTO FORMER EMPLOYEES All requests for information from third parties regarding a present or former employee must be addressed to the Chief Human Resources Officer. It is the Sheriff's Office policy that when asked to provide such information on a former employee, the Human Resources Department will only provide a former</i></p>

employee's date of employment and the positions held in the Sheriff's Office. The letter to such third party will reference the fact this is the only information provided according to Sheriff's Office policy.

(a) (b) The auditor reviewed the application process. The application process specifically asks all applicants to answer these questions: (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section. The interview with the Chief Human Resources Officer confirmed this additionally, providing the auditor with the document used to ensure these questions are asked of candidates. This same document asks candidates if they have engaged in or been accused of engaging in sexual harassment. Interview with the Chief Human Resources Officer indicates that they had not had a candidate with a history of sexual harassment which required consideration.

(c) (d)(f)(g) The auditor requested and reviewed two personnel files of newly hired staff. They reflected the following: employment history, answers to the questions noted in provision (a), reference checks, criminal background checks, signature of candidate noting that "any material omission in answering the following questions or the provisions of materially false information shall be grounds for disqualification or for termination if discovered after hire", and confirmation that the applicant has a continuing affirmative duty to immediately report in writing to the Sheriff's Office any such misconduct during the time employed. It was confirmed to the auditor that promotional candidates additionally respond to these questions during the interview process. The auditor reviewed the personnel file for one promotional staff and found documentation of this process. One contractual staff personnel file was reviewed which also had evidence of the background check.

(e) The auditor interviewed the Chief Human Resources Officer and the person who conducts background checks and confirmed that all staff have a criminal background check completed every year.

(h) Per the interview with the Chief Human Resources Officer, their office has not had to provide information to another agency about a prior employee. Upon receipt of a release of records, this information would be provided.

Summary of evidence to support a finding of compliance: Policy, interviews with the Chief Human Resources Officer, interview with the background investigator, and review of documentation from personnel files all provided the auditor with consistent evidence to support a finding of compliance.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1286 297">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="242 329 563 528" style="list-style-type: none"> <li data-bbox="242 329 440 356">· Observations <li data-bbox="242 387 563 414">· Interviews Special Sheriff <li data-bbox="242 445 560 472">· Interview Superintendent <li data-bbox="242 504 357 530">· PAQ <p data-bbox="242 562 1485 685">The PAQ indicates the facility has not acquired any new facilities and have not made substantial expansions or modifications of existing facilities since the last PREA audit and has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since the last PREA audit. Observations during the tour and formal as well as informal interviews did not lead to any evidence that would dispute this.</p> <p data-bbox="242 716 1469 911">(a,b) The interview with the Special Sheriff confirmed that PREA (prevention, detection and response to sexual assault and sexual harassment) will be included in the review and decision regarding any modifications or expansions to the facility. Additionally, he indicated there are plans for upgrades to the video monitoring which have been approved. Inmate safety is the motivation for when and where these upgrades are to take place. The interview with the Superintendent additionally supported this requirement, noting plans for upgrades had been approved and that inmate safety is considered for determining placement and monitoring.</p> <p data-bbox="242 943 1430 1066">Summary of evidence to support a finding of compliance: The interview with the Special Sheriff and the Superintendent support that no modifications or expansions to the facility have been made. Both confirmed that upcoming camera modifications are approved and that inmate safety, especially regarding the prevention of sexual abuse and sexual harassment are a high priority when finalizing the plans.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · PAQ · Interview with the Investigator · Investigator Training curriculum – uniform evidence protocol and source · Interview with Regional SANE Coordinator for Commonwealth of Massachusetts · PREA Evidence Collection Kit · MOU with Independence House · Massachusetts State Police website · Staff training – Coordinated Response Plan <p>The PAQ indicates there have been no forensic medical exams, no SANE/SAFE exams nor exams performed by a qualified medical practitioner during the previous twelve months. The auditor found this credible.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Security Response to Sexually Abusive Behavior Complaints:</i></p> <p><i>If the Sheriff and/or his designee believe that a felony may have been committed, the District Attorney's Office and the State Police Detective Unit assigned to the District Attorney's Office shall be notified and the Sheriff's Office shall seek assistance and begin a cooperative investigation with these agencies. The State Police conducting the investigation will be asked to agree to abide by all PREA guidelines as per standard 115.21 (a-e). Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attached copies of all documentary evidence where feasible.</i></p> <p><i>The Assistant Superintendent shall ensure that all evidence collected at any hospital (Sexual Assault Evidence Collection Kit/Rape Kit) is transported to the State Police Laboratory as soon as possible. All evidence shall be handled in accordance with BCSO Policy 305.01, Searches and Contraband. Evidence retained in excess of twenty-four (24) hours (weekends/holidays), shall be properly refrigerated in the armory.</i></p> <p><i>Any State entity or Department of Justice component that conducts such investigations shall do so pursuant to the requirements of PREA.</i></p> <p><i>When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation. Any relevant information from the investigative agency shall be used to inform the inmate.</i></p> <p><i>Medical Response to Sexually Abusive Behavior Complaints:</i></p> <p><i>A qualified health care professional shall evaluate the extent of the physical injury and provide medical treatment as needed. Appropriate agency notifications shall be made if the victim is an elderly or vulnerable individual.</i></p> <p><i>An emergency mental health referral to the on-site mental health professional shall be made following the completion of the medical evaluation. Both medical and mental health services shall be consistent with the community level of care. Upon completion of the medical and mental health evaluation, the Superintendent or their designee in consultation with medical and/or Mental Health personnel shall determine whether a referral to an outside hospital with a rape crisis unit is warranted. Factors to be considered are the time frame between the alleged assault and the complaint, as well as the extent and nature of the allegation.</i></p> <p><i>If the determination is made that the inmate victim should be sent to an outside hospital and if the inmate victim consents, the inmate victim shall be transported to an outside hospital with a SANE program where they shall receive essential medical intervention to include preventative treatment for HIV, sexually transmitted diseases and pregnancy if appropriate. A victim advocate will be assigned to meet with the inmate. The advocate will keep the inmate victim informed of their status and as appropriate, the disciplinary and criminal prosecution of the alleged perpetrator. The advocate shall make the inmate victim</i></p>

aware of the short- and long-term services available to them. Treatment services including forensic medical exams are offered without financial cost to the victim.

The Response plan specifies:

*Insure the inmate victim is immediately taken to the Medical Department for emergency medical care/mental health treatment (*see Medical Response Checklist). If Medical is not on duty, the inmate shall be taken to Falmouth Hospital and will be processed by a SANE-trained nurse. The Shift Supervisor must notify Falmouth Hospital of the need for a SANE nurse.*

Notify Independence House of the need for a victim advocate by calling 1 800 439-6507. Document this in the incident overview to be submitted to the Superintendent.

The Officers transporting the inmate shall also make sure they communicate to Falmouth Hospital staff when they arrive of the need for a SANE nurse.

(a,b)To assist with ensuring that a uniform evidence protocol is used, the facility maintains a PREA Response Kit and checklist of contents. Investigators were trained in conjunction with the Massachusetts Department of Corrections Sexual Assault Investigation Training. Evidence Protocol and Forensic Medical Examinations are based on the Sexual Assault Investigator Certification Curriculum, Municipal Police Training Committee.

The Massachusetts State Police addresses evidence and processes it at the State Police Crime Lab. The auditor found on the website the following: "The Massachusetts State Police (MSP) has a zero-tolerance policy toward sexual abuse and sexual harassment of any kind towards any detainee while in State Police custody. All detainees have equal rights to safety, dignity, and justice and have the right to be free from sexual abuse and sexual harassment. Lock up facilities under their supervision have been certified compliant with PREA which further reinforces compliance with the standard."

(c) (d) Policy supports that all victims of sexual abuse will be offered a forensic exam with no cost to the victim. The interview and research on the internet further support that this state has a statewide organized system for ensuring that SANE exams are available for all who need them. The interview with the SANE Coordinator for the Commonwealth of Massachusetts confirmed that there are SANE certified hospitals throughout the state. All efforts will be made to include sending a SANE certified nurse to a site when needed. She indicated they have been successful with providing this level of exam for several years. Request for an advocate is automatically addressed by the hospital. Request for an advocate is also addressed by the facility through the coordinated response plan. The MOU with the Independence House ensures that a qualified victim advocate to accompany victims through the forensic examination process and investigatory process.

(f) As indicated to the auditor in interviews and policy, if the Massachusetts State Police becomes involved, they will provide both a qualified victim advocate if requested and ensure a SANE exam is conducted. The auditor finds this credible based on the PREA certifications of the Lockup facilities, operated by the State Police.

Summary of evidence to support a finding of compliance: Policy excerpts, review of investigations, investigator training, Massachusetts State Police website and interviews with the investigator support compliance. A PREA kit is available to help process evidence appropriately. Staff interviews supported that staff were aware of the requirements and actions needed to preserve evidence. The Regional SANE Coordinator confirmed that SANE exams are available to this population. The MOU with Independence House supports that a qualified victim advocate will be available if requested by the victim.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations · Interviews Special Sheriff · Interviews Investigative Staff · Review of investigations · MOU with Barnstable District Attorney's Office · PAQ <p>The PAQ indicates there have been three allegations of sexual abuse and sexual harassment resulting in administrative investigations zero referrals for criminal investigation. The facility provided an incident report summary for the previous 12 months which confirmed these numbers.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>The Sheriff's Office shall use all available means to fully investigate and address all allegations and incidents of sexually abusive behavior. There shall be two or more BCSO investigators trained to conduct investigations in confinement settings. Appropriate non-legal investigators shall include both male and female staff who are known for their impartiality. In the event of an outside agency investigation, the facility will cooperate with the investigators and endeavor to remain informed about the progress of the investigation. After receiving the complaint, the allegation will be investigated promptly in a fair, impartial and expedient manner.</i></p> <p>(a)(b) Policy addresses the requirements of these provisions. Investigations, as observed during the audit, are documented in a data base. There is a MOU with the Barnstable District Attorney's Office that confirms that the District Attorney will coordinate the investigative process for allegations of sexual abuse, in accordance with the National PREA Standards for Adult Prisons and Jails.</p> <p>(c)The complete policy can be viewed on the website at PREA – Barnstable County Sheriff's Office (bsheriff.net)</p> <p>Review of policy, MOU, investigations as well as interviews with the Sheriff and investigators support that any suspicion or knowledge of sexual abuse, sexual harassment, neglect, or retaliation will be reported to the supervisors through to the shift commander to the investigators. Review of the investigations supported this requirement.</p> <p>Summary of evidence to support a finding of compliance: Policy, interviews and review of the investigations all support a finding of compliance.</p>

115.31	Employee training
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Orientation, Academy and In-service training curriculum for PREA · Staff training records, policy sign off records · Interview Captain of Training · Observations · Interviews Random staff · PAQ · FAQ <p>The PAQ indicates that all employees who have contact with inmates who were trained on PREA requirements as outlined in the provision.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states,</p> <p><i>Training and Education</i></p> <p><i>The Training Division in conjunction with the PREA Task Force shall develop and maintain a training plan to ensure that Sheriff's Office employees, contractors and volunteers are educated regarding their responsibilities to prevent and report incidents of sexually abusive behavior. The Training Division is responsible for educating employees, contractors and volunteers regarding their responsibilities to prevent and report incidents of sexually abusive behavior and have documented that they understand the training they received.</i></p> <p><i>Training for employees, contractors and volunteers shall include, but not be limited to the following:</i></p> <p><i>Sheriff's Office zero-tolerance policy for sexual abuse and sexual harassment.</i></p> <p><i>Responsibilities in preventing, detecting, reporting and response to sexual abuse and sexual harassment.</i></p> <p><i>The right of inmates to be free from sexual abuse and sexual harassment.</i></p> <p><i>The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment.</i></p> <p><i>The dynamics of sexual abuse and sexual harassment in confinement.</i></p> <p><i>The common reactions of sexual abuse and sexual harassment victims.</i></p> <p><i>How to detect and respond to signs of the threat of sexual abuse and actual sexual abuse.</i></p> <p><i>How to avoid inappropriate relationships with inmates.</i></p> <p><i>How to communicate effectively and professionally with inmates, including LGBTI or gender non-conforming inmates.</i></p> <p><i>How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.</i></p> <p><i>Training conforms to both male and female inmates.</i></p> <p>(a) The auditor was provided with the training lesson plan for PREA. It addresses the following:</p> <ul style="list-style-type: none"> · History of the law · Definitions of PREA · Zero tolerance, how to promote a culture that prevents sexual abuse and sexual harassment

- How to fulfill responsibilities regarding sexual abuse, sexual harassment and all PREA-related incident – prevention, detection and response
- Confidentiality
- First Responder duties
- Mandatory reporting
- The dynamics of sexual abuse and sexual harassment in confinement, information on female offenders
- The common reactions of sexual abuse and sexual harassment victims.
- How to detect and respond to signs of the threat of sexual abuse and actual sexual abuse.
- Avoiding inappropriate behavior
- Understanding at-risk population – LGBTQI
- Official Response following an inmate Report
- Searches
- Zero tolerance
- Retaliation Monitoring

Inservice training addresses the following:

- Zero tolerance
- History of PREA
- Sexual Abuse/Sexual Harassment – definitions
- Staff Responsibilities – Prevention, detection and Reporting
- Announced supervisory rounds
- Reporting signs, threats, abuse
- Coordinated Response
- Inappropriate relationships
- Red flags
- Mandatory Reporting
- Confidentiality
- Transgender inmates
- Searches, cross gender search guidelines
- Zero tolerance

(a) All staff interviews confirmed that they have received the training and that it addresses the topics required.

(b) As indicated in the review of the lesson plan, it addresses aspects unique to females and males. This facility and agency houses both males and females.

(c) Training records were reviewed on site, randomly selected, that demonstrated that volunteers, security staff, non-security staff, vendors, and interns all attend the PREA training. This facility has been actively involved in PREA compliance since 2014. The interview with the Captain of Training confirmed to the auditor that all staff have received the training. He confirmed that staff receive in-person training on PREA every other year, and an online version of PREA training every year it is not conducted in person. Additionally, when staff do not receive the in-person training, they are also required to reviewed and acknowledge understanding of the PREA policy. The auditor was provided documentation reflecting that staff have completed this task. He indicated that PREA is taught in new employee/academy training; staff receive this prior to assignment within the facility.

(d) The Captain of Training confirmed that staff must pass a quiz in order to ensure they understood the training; therefore, providing electronic verification.

Summary of evidence to support a finding of compliance: Policies support that training will be conducted at least every two years with refresher information provided annually. Refresher training includes annual review of the PREA policy. Review of the training curriculum demonstrates that the required topics are addressed. Staff interviews additionally provided the auditor with evidence of compliance with the provisions of the standard. As clarified in the FAQ, staff receive PREA training prior to having contact with inmates. For all these reasons, the auditor finds there is sufficient evidence to support a finding of compliance.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations · Interview contractors/volunteers · Orientation Power Point · Review volunteer/contractor/vendor training records · Volunteer Student Intern Vendor Handbook · Interview with the Volunteer Coordinator · Three examples of documentation of Volunteer/Student/Intern/Contractor training · PAQ <p>The PAQ indicates there are 94 volunteers and contractors who have been trained in agency policies and procedures regarding sexual abuse/harassment prevention, detection, and response.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, Training and Education</p> <p><i>The Training Division in conjunction with the PREA Task Force shall develop and maintain a training plan to ensure that Sheriff's Office employees, contractors and volunteers are educated regarding their responsibilities to prevent and report incidents of sexually abusive behavior. The Training Division is responsible for educating employees, contractors and volunteers regarding their responsibilities to prevent and report incidents of sexually abusive behavior and have documented that they understand they training they received.</i></p> <p><i>Training for employees, contractors and volunteers shall include, but not be limited to the following:</i></p> <p><i>Sheriff's Office zero-tolerance policy for sexual abuse and sexual harassment.</i></p> <p><i>Responsibilities in preventing, detecting, reporting and response to sexual abuse and sexual harassment.</i></p> <p><i>The right of inmates to be free from sexual abuse and sexual harassment.</i></p> <p><i>The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment.</i></p> <p><i>How to avoid inappropriate relationships with inmates.</i></p> <p><i>How to communicate effectively and professionally with inmates, including LGBTI or gender non-conforming inmates.</i></p> <p><i>How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.</i></p> <p>For orientation, It addresses the following:</p> <ul style="list-style-type: none"> · History of the law · Definitions of PREA · Zero tolerance, how to promote a culture that prevents sexual abuse and sexual harassment · How to fulfill responsibilities regarding sexual abuse, sexual harassment and all PREA-related incident – prevention, detection and response · Retaliation · Penalties for staff abuse – criminal · Americans with Disabilities Act

- Cultural Diversity, including sexual orientation and communication
- Professional Boundaries
- Immediate reporting – knowledge, suspicion, retaliation, staff neglect

Volunteer, Student Intern, Vendor Handbook have the following information:

SEXUAL MISCONDUCT The BCSO policy and procedure prohibits all employees, vendors, volunteers and interns from engaging in intimate relationships with inmates. An internal institutional telephone is set up for inmates and staff to report staff sexual misconduct with inmates. The telephone number is 9508) 563-4484. BCSO Policy #220.04. It is a felony in Massachusetts for a staff member to have sexual relations with an inmate. See Massachusetts General Law Chapter 268 Section 21A (attached). **PRISON RAPE ELIMINATION ACT (PREA)** All intentional acts of sexually abusive behavior or intimacy between an inmate and a Sheriff's Office employee, vendor, volunteer, or intern or between an inmate and another inmate, regardless of consensual status, are prohibited and the perpetrator shall be subject to administrative and criminal and/or disciplinary sanctions. The Sheriff's Office is committed to investigating, disciplining and referring for prosecution, Sheriff's Office employees, vendors, volunteers and inmates who engage in sexually abusive behavior. An internal institutional telephone number has been set up to report behaviors in violation of PREA. The telephone number is (508) 563-4484.

CONFIDENTIALITY: Volunteers/Student Interns/Vendors shall not release information, news statements or bulletins pertaining to the BCSO. Any requests for information by the public or news media shall be referred to the Public Information Officer. 2 Do not divulge personal information to an inmate (i.e. phone #, address). 3 Do not divulge information obtained at the Correctional Facility (i.e. security procedures and inmate or employee information). Criminal Offender Record Information (CORI) must be maintained in accordance with M.G.L. Chapter 6, Section 167/178 (i.e. arrest reports, BOP information and log entries). Willful, unauthorized dissemination of CORI may subject the offending agency or individual to a fine of \$5,000.00 and/or up to one (1) year in the House of Correction, in addition to the civil penalties set forth in Section 177. 4 If a member of a volunteer's/student intern's/vendor's family, friend or acquaintance is committed to a BCSO Facility, the volunteer/student intern/vendor must inform the Assistant Deputy Superintendent assigned to Jail Operations.

INTERACTIONS WITH INMATES 1 Inmates shall be treated in a courteous but cautious manner. 2 Inmates shall be treated impartially and with no special privileges extended to them. Any requests made by an inmate should be directed to your supervisor, or the Facility Shift Supervisor. 3 Do not engage in undue familiarity with inmates, their families or friends. Volunteer/Student interns/Vendors must not contact or correspond with inmates or any member of the inmate's family, unless specifically approved by the Assistant Deputy Superintendent assigned to Jail Operations. If a 5 volunteer/student intern/vendor is contacted by an inmate or member of the inmate's family, other than approved circumstances, the volunteer/student intern/vendor must immediately report the contact to the Assistant Deputy Superintendent assigned to Jail Operations.

BARNSTABLE COUNTY SHERIFF'S OFFICE TRAINING DEPARTMENT PRISON RAPE ELIMINATION ACT (PREA) SIGN-OFF SHEET This information is for all employees, volunteers, interns or vendors who come onto the grounds of any property/activity under the control of the Barnstable County Sheriff's Office. This is an informational guide to inform you of the standards held by the Barnstable County Sheriff's Office. Please read the PREA guidelines below and sign off on the bottom of this form indicating that you have read and understand the PREA guidelines. Thank you. · In 2003 Congress passed a law called the Prison Rape Elimination Act (PREA) · The law states that the issue of prison rape and sexual assault will be discussed in every correctional facility across the country. · The Barnstable County Sheriff's Office (BCSO) is committed to providing an environment free of sexual assault, takes a zero-tolerance stance toward the sexual abuse of people in confinement, and complies with the PREA standards to eliminate any occurrence of sexual assault. · It is the BCSO's policy to provide a safe, humane, and appropriately secure environment free from the threat of sexual assault by maintaining a program of prevention, detection, response, investigation and tracking. · Sexual contact in any form with inmates is a violation of PREA. This not only applies to inmates in custody but also to work release, pre-release and to electronic incarceration program custody levels such as furlough and supervised work release. It applies to same-sex as well as to opposite sex encounters. · A sexual assault would entail any contact between the sex organ of one person and the sex organ, mouth, or anus of another person or any intrusion of any part of the body of one person of any object into the sex organ, mouth or anus of another person. · You are also responsible to immediately report any known or suspected act or allegation of sexual misconduct, sexual assault, or retaliation to the facility Superintendent through the appropriate chain of command. · All employees, volunteers, interns or vendors are responsible for adhering to these guidelines by ensuring that their conduct does not constitute or promote any type of sexual misconduct or sexual assault, or in any other way violates these guidelines. Physical contact between volunteers/student interns / vendors and inmates shall be kept professional at all times. Employee/Volunteer Vendor: _____ Print Name

_____ Date ____/____/____ Signature BCSO Staff Witness:

_____ Print Name _____

Date ____/____/____

(a) (b) (c) The interview with the contractual staff confirmed that he had been educated on the requirements of PREA and

their role in preventing, detecting and responding to sexual abuse or sexual harassment. The interview with the Volunteer Coordinator relayed to the auditor the process for a volunteer initiating service and maintain service at this agency. She confirmed that after applying and screening for appropriateness, a security clearance is conduct. Upon approval an 8-hour orientation is schedule which addresses PREA, conducted by the Training Coordinator. Additionally, an acknowledgement is signed.

Summary of evidence to support a finding of compliance: Based on review of the information provided to contractual staff and volunteers, review of the training documentation, interview with the contractual staff and interview with the volunteer coordinator, the auditor finds sufficient evidence to support a finding of exceeds compliance with this standard due to the required annual refresher training for volunteers.

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1286 300">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="240 329 1299 871" style="list-style-type: none"> <li data-bbox="240 329 1299 358">· 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) <li data-bbox="240 387 647 416">· 440.01 Admission and Orientation <li data-bbox="240 445 711 474">· Inmate Handbook (English and Spanish) <li data-bbox="240 504 721 533">· Brochures/pamphlet English and Spanish <li data-bbox="240 562 639 591">· Observations Posters, pamphlets <li data-bbox="240 620 644 649">· Observation of the intake process <li data-bbox="240 678 836 707">· Interviews Intake staff, staff who conducts orientation <li data-bbox="240 736 496 766">· Interviews inmates <li data-bbox="240 795 451 824">· Intake records <li data-bbox="240 853 357 882">· PAQ <p data-bbox="240 902 1481 965">The PAQ indicates that 822 inmates were provided information about zero tolerance at intake (100%), 372 inmates received comprehensive education who remained past 30 days (100%).</p> <p data-bbox="240 994 1465 1155"><i>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, The Sheriff's Office shall present orientation material on sexual abuse prevention and intervention to inmates through an orientation and the Inmate Handbook. Inmates shall be responsible for familiarizing themselves with the provided PREA information. Inmates are responsible for reporting allegations in a timely fashion to an employee, contractor or volunteer, in order to ensure their safety and the safety of others.</i></p> <p data-bbox="240 1184 1493 1379"><i>Inmate Education The Superintendent/designee shall assure that new inmates to the BCCF receive written, verbal and/or video presentations about prisoner sexual violence in English and/ or Spanish within 30 days of admission. All written orientation materials about sexually abusive behavior will be provided in Spanish when appropriate. When a literacy problem exists a staff member assists the inmate in understanding the problem. Inmates who are transferred from one facility to another shall be educated on their right to be free from sexual abuse and harassment and to be free from retaliation for reporting such incidents.</i></p> <p data-bbox="240 1408 1493 1570"><i>440.01 Admission and Orientation states, ORIENTATION: Written policy and procedure shall ensure that all newly admitted inmates receive written or oral orientation information in a language in which the inmate is fluent, to include, but not be limited to rules and regulations, disciplinary regulations, PREA, health services, mail, visiting and program services. Completion of orientation shall be documented by a statement that is signed and dated by the inmate and staff person presenting the orientation.</i></p> <p data-bbox="240 1599 1477 1760"><i>All inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Within 30 days of intake, the agency shall provide comprehensive education to inmates 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 regarding agency policies and procedures for responding to such incidents.</i></p> <p data-bbox="240 1789 1481 1888"><i>Current inmates who have not received such education shall be educated within one year of the effective date of the PREA standards and shall 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.</i></p> <p data-bbox="240 1917 1489 2145">The inmate handbook has the following information: As an inmate within the Barnstable County Correctional Facility and Community Correction Center any sexual contact with any person is expressly prohibited and that all such incidents should be immediately reported. You also need to understand that any allegation or incident of sexual contact will be taken seriously and investigated fully. You have the right to serve your sentence without fear of being sexually exploited. A telephone "Hotline" has been set up through the inmate telephone system that will allow you to report any contact of a sexual nature with other inmates, staff, volunteers or outside contractors. The number is (508) 563-4484 and can be universally accessed by all inmates. You do not need to place this number on your PIN list." PREA-Prison Rape Elimination Act The Prison Rape</p>

Elimination Act (PREA) was signed into law on September 4, 2003. It specifically addressed the issue of rape in correctional and detention facilities. The main goal of the law is to support reduction, elimination and prevention of rape and sexual misconduct within adult and juvenile custody at the federal, state and local levels. Barnstable County Sheriff's Office is committed to a Zero Tolerance policy regarding prison rape and sexual victimization. This zero-tolerance policy affects all departments, community corrections units, every employee, volunteer, vendor and every person under correctional supervision. A telephone "Hotline" has been set up through the inmate telephone system that will allow you to report any contact of a sexual nature with other inmates, staff, volunteers and/or outside contractors. The number is (508) 563-4484 and can be universally accessed by all inmates. Inmates are not required to place this number on his/her PIN list. All inmates have the right to be free from sexual exploitation during your incarceration at Barnstable County Correctional Facility. Sexual violence and rape are never right and in the spirit of the Prison Rape Elimination Act, the Barnstable County Sheriff's Office recognizes the impact prison rape and misconduct has on victims, the correctional environment and the community.

Barnstable County Sheriff's Office response to allegations will be consistent with the following goals: · Respond to reports of sexual assault in a manner that is timely, humane, respectful and comprehensive. · Facilitate education/training of staff and offenders regarding reporting procedures · Maintain confidentiality of investigations and sensitivity towards alleged victims · Provide victims with follow-up medical and mental health services, as appropriate · Provide protection and prohibit retaliation · Hold accountable those in violation of sexual misconduct laws. An additional toll-free and confidential Rape Crisis Hotline number has been made available to all inmates. The number is 1 (800) 439-6507 and will connect you to Independence House, leading resource, counseling and advocacy center to address and prevent domestic and sexual violence. You can also write to Independence House at: 160 Bassett Lane, Hyannis, MA 02601 All services are free and confidential and are available in English, Brazilian Portuguese & Spanish. Additional translation services are available. Calling the Rape Crisis Hotline and not informing Sheriff's Office staff will not allow for your immediate protection and investigation of a crime. You should notify Sheriff's Office Staff immediately if you have been a victim of sexual misconduct or sexual assault. If you do not feel comfortable reporting a sexual assault or sexual misconduct yourself, you are encouraged to ask a friend or family member to report it for you.

(a) Intake staff interviewed indicate that this is accomplished by providing the Inmate Handbook upon arrival and the PREA brochure. Additionally, staff and inmates informed the auditor that both have been uploaded to the inmate tablets. The auditor observed the intake process during the onsite audit.

(b) Orientation is conducted individually during the restrictions related to the coronavirus pandemic. Interview with the staff who conducts orientation confirmed this.

(c) This does not apply to this facility. They have been actively involved with PREA compliance since 2015. The auditor finds this credible as the turnover at this facility is quick. Additionally, the auditor asked to speak with the inmate housed at the facility the longest (May 2019). He confirmed that he has attended training regarding PREA and that the facility provides information on how to report (i.e. posters).

(d) See comments in 115.16.

(e) Documentation of attendance at orientation was provided. Documentation of intake was provided through the Offender Management system (OMS) for the same randomly requested inmates.

(f) Numerous posters providing information on PREA were visible throughout the facility, minimally several in each housing unit. Information is posted in Spanish and English. Inmates interviewed acknowledged that they knew of PREA by reading the posters; they are securely posted near the phones. The posters contain information:

Zero tolerance

Report to staff, in writing or hotline number

Rape Crisis Hotline 1 800 439 6507 on what PREA is, zero tolerance, hotline numbers for reporting in house (pin required), outside reporting numbers, noting it is confidential and non-recorded, rape counseling services (noting free, confidential and three-digit access, no pin required) and additional information about staff reporting and confidentiality of reports. All inmates interviewed confirmed they were aware of the PREA law, how to report, and indicated.

Inmate interviews confirmed to the auditor that they have been educated on their right to be free from sexual abuse and sexual harassment. No inmate interviewed was unaware of this or how to report a problem.

Summary of evidence to support a finding of compliance: Policy, review of information provided to the inmates, observations of the intake process, interview with inmates, interview with the intake staff provided the auditor with ample evidence to support a finding of compliance.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations · Interviews Investigative staff · Training completion docs · Curriculum for investigators · Regular PREA Training documentation for investigators · PAQ # of investigators agency <p>The PAQ indicates there are seven staff who have received the specialized PREA training for investigators.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, Training and Education states, "The Training Division in conjunction with the PREA Task Force shall develop and maintain a training plan to ensure that Sheriff's Office employees, contractors and volunteers are educated regarding their responsibilities to prevent and report incidents of sexually abusive behavior. The Training Division is responsible for educating employees, contractors and volunteers regarding their responsibilities to prevent and report incidents of sexually abusive behavior and have documented that they understand they training they received. Investigation: There shall be two or more BCSO investigators trained to conduct investigations in confinement settings. "</p> <p>(a) Training is conducted with the Massachusetts Department of Correction investigator training. The auditor reviewed documentation showing that the investigators have received regular PREA training in addition to the specialized PREA training. The interview with the Investigator and Training Coordinator confirmed that the investigators also received the required PREA training.</p> <p>(b) The auditor reviewed the training curriculum. The training curriculum addressed the following topics over a course of three days:</p> <p>Introduction to Sexual Assault Investigation</p> <p>Defining PREA</p> <p>Evidence Protocol</p> <p>Interviewing, including Miranda and Garrity</p> <p>Investigative Outcomes</p> <p>Documentation</p> <p>Post Allegation</p> <p>The auditor interviewed the investigator. He supported that the training does include the curriculum described above.</p> <p>(c) Training certificates were provided and reviewed for the investigators.</p> <p>Summary of evidence to support a finding of compliance: Policy supports the requirements of the standards. Review of the investigations with corresponding certificates of training of those who conducted the investigation supported compliance. Interview with the investigator demonstrated knowledge regarding Miranda and Garrity warnings, interviewing victims, dynamics of abuse in a confinement setting and evidence collection. Investigators are on call if needed. They indicated they are being notified of any need to initiate investigations immediately. The interviews and review of training documentation confirmed that they also attend regular PREA training.</p>

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1286 297">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="240 331 1299 757" style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations · Interviews Medical staff · Interviews Mental health staff · Training curriculum – Well path · Training Records medical and mental health staff · Training records, regular PREA training · PAQ <p data-bbox="240 790 1469 817">The PAQ indicates that the facility has fifteen medical and mental health staff, 100% have received the specialized training.</p> <p data-bbox="240 848 1430 907">300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Training for employees, contractors and volunteers shall include, but not be limited to the following:</i></p> <p data-bbox="240 938 1023 965"><i>Sheriff's Office zero-tolerance policy for sexual abuse and sexual harassment.</i></p> <p data-bbox="240 996 1294 1023"><i>Responsibilities in preventing, detecting, reporting and response to sexual abuse and sexual harassment.</i></p> <p data-bbox="240 1055 979 1081"><i>The right of inmates to be free from sexual abuse and sexual harassment.</i></p> <p data-bbox="240 1113 1369 1140"><i>The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment.</i></p> <p data-bbox="240 1171 946 1198"><i>The dynamics of sexual abuse and sexual harassment in confinement.</i></p> <p data-bbox="240 1229 963 1256"><i>The common reactions of sexual abuse and sexual harassment victims.</i></p> <p data-bbox="240 1288 999 1364"><i>How to detect and respond to signs of the threat of sexual abuse and actual sexual abuse.</i></p> <p data-bbox="240 1395 783 1422"><i>How to avoid inappropriate relationships with inmates.</i></p> <p data-bbox="240 1453 1409 1480"><i>How to communicate effectively and professionally with inmates, including LGBTI or gender non-conforming inmates.</i></p> <p data-bbox="240 1512 1267 1538"><i>How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.</i></p> <p data-bbox="240 1570 1098 1597"><i>Additional training for Health Services shall include, but not be limited to the following:</i></p> <ol data-bbox="316 1628 1126 1883" style="list-style-type: none"> 1. <i>How to detect and assess signs of sexual abuse and harassment.</i> 2. <i>How to preserve physical evidence of sexual abuse.</i> 3. <i>How to respond effectively and professionally to victims of sexual abuse and sexual harassment.</i> 4. <i>How and to whom to report allegations or suspicions of sexual abuse and</i> <p data-bbox="240 1915 440 1942"><i>sexual harassment.</i></p> <p data-bbox="240 1973 764 2000"><i>Training conforms to both male and female inmates.</i></p> <p data-bbox="240 2031 1469 2157">(a) (c) (d) Contractual staff are used in the area of medical health and mental health. In addition to policy, the auditor spoke to the Mental Health Director and the Health Service Administrator. The auditor was provided documentation that medical and mental health staff have been trained on regular PREA training and the specialized training. This was confirmed in the interviews with medical supervisor and Mental Health Director. They confirmed that their staff receive the regular training in</p>

addition to specialized Medical and Mental Health training required by their company upon being hired at this facility. The auditor has reviewed the training curriculum provided by the facility and found that it addressed the topics required in the provision. Additionally, (1) How to detect and assess signs of sexual abuse and sexual harassment; (2) How to preserve physical evidence of sexual abuse; (3) How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and (4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment is addressed in this training PREA training. Fourteen (14) certificates of completion of this training was provided to the auditor as evidence to support compliance.

Summary of evidence to support a finding of compliance: Policy supports the requirements of the standard. Interviews with the medical and mental health staff, and review of training documents (completion of training and the curriculum) provided evidence to support compliance. Provision (b) does not apply to this operation.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) - updated · Interviews Staff who perform risk screens – intake staff and 30 day reassessment · Demonstration of the intake process · Random inmate interviews · Random review of inmate's risk assessments, first to arrive for the last 11 months · Interview PREA Coordinator · Observations · PAQ · FAQ <p>The PAQ indicates that 651 inmates entered the facility whose length of stay was for 72 hours, or more were screened for risk of sexual victimization or risk of sexually abusing other inmates (100%); 372 remained past 30 days who were reassessed for their risk of sexual victimization or of being sexually abuse with 30 days after their arrival based upon any additional, relevant information received.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states,</p> <p><i>Identification, Reporting, and Screening During Admission</i></p> <p><i>All inmates are screened within 72 hours of arrival at BCCF for potential vulnerabilities as victim or for potential sexually aggressive or predatory behavior (PREA Screening Instrument).</i></p> <p><i>Inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to questions asked during the screening.</i></p> <p><i>Inmates at risk or who have a history of inmate sexual abuse victimization:</i></p> <p><i>All inmates entering BCCF and upon subsequent transfers from other institutions, shall be screened within twenty four (24) hours by a qualified medical professional for a history of and the risk for sexual abuse victimization in accordance with Policy 602.02, Admission Medical Screening/Health Appraisal & Examinations/Access to Health Services and within 72 hours by Intake Officers and/or Classification staff using the PREA Screening Instrument. Inmates identified through the PREA Screening Instrument, self-reports, medical reports or other criminal record information as having a history of sexual abuse victimization or of being a victim of inmate sexual abuse shall be referred to a mental health clinician for assessment, monitoring, and counseling for follow-up within 14 days of intake. Documentation will be made in the CorEMR chart notes. Medical and Mental Health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting. The Facility Shift Supervisor shall be notified to ensure that appropriate steps (e.g., investigation, housing assignment) are taken.</i></p> <p><i>Upon learning that an inmate has been identified as having been a victim or predator or is at risk for such, the Facility Shift Supervisor shall carefully assess the immediate needs and housing assignment of the inmate. Where double bunking is necessary, the staff members making cell assignments shall rely upon standard guidelines for cell matching and good judgment in selecting a cellmate for the inmate. Cell assignments shall be made by Classification, Facility Shift Supervisor and/or Unit Team Manager.</i></p> <p><i>Special Operations will be notified for monitoring purposes of those inmates identified as potential for sexual abuse victimization.</i></p> <p><i>Inmates with a history of engaging in predatory sexually abusive behavior:</i></p> <p><i>Intake Officers and/or Classification Staff shall screen inmates for a history of sexually abusive behavior by conducting PREA screening and a review of criminal record information, (e.g., judgment and commitment orders, institutional six part folder, board of probation). Inmates identified as having a history of sexually abusive behavior not previously identified shall</i></p>

be documented appropriately. The Facility Shift Supervisor shall be notified. Staff shall also ensure that the inmate is referred to a mental health practitioner within 14 days of the intake screening.

Special Operations will be notified for monitoring purposes of those inmates identified as potential sexual predators.

Classification

The Sheriff's Office shall use all relevant information to make classification and programming decisions with the goal of keeping all inmates safe and free from sexual abuse.

LGBTI status shall not be an indicator of likelihood of being sexually abusive.

Within a set time period, but not to exceed 30 days from the inmate's arrival, the Sheriff's Office will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening. Updated to Within a set time period, but not to exceed 30 days from the inmate's arrival, the Sheriff's Office will conduct an in-person reassessment of the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.

An inmate's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. Inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to questions asked during the screening.

Vulnerable inmates will be classified in the least restrictive environment that is operationally feasible.

(a)(b) The PAQ confirmed that inmates are screen immediately upon arrival for risk of sexual vulnerability or sexual predatory behavior. The interview with the Intake staff and staff who complete risk assessment confirmed this. The auditor randomly requested the first risk assessment for the first inmate to arrive for the previous eleven months; review confirmed that this assessment is being conducted, the day of arrival.

(c)(d) (e)An example of a completed Risk Assessment was sent to the auditor with the pre-audit documentation.

The objective screening tool is used considers the following information:

Risk of Sexual Victimization

- mental, physical, development disability
- age (youthful under 21 yrs., elderly over 60 year)
- physical build (criteria for male and female)
- first incarceration
- convictions for sex offense against an adult or child
- perception of or self identifies as gay, lesbian, bisexual, transgender, intersex or gender nonconforming (area for notes for the screener)
- history of sexual activity while incarcerated
- crimes exclusively nonviolent
- previous experience as a victim of sexual abuse community and while incarcerated
- previous placement in protective custody for sexual acts against
- inmate's perception of risk for sexual abuse
- any needs related to disabilities
- detained for civil immigration status only
- current age _____ inmate over 65

The risk screen developed and used at this facility addresses all of the requirements of the provision of this standard. The screen addresses more detail regarding sexual victimization specifically questions pertaining to prior use of protective custody due to sexual victimization while incarcerated. The screen is completed upon arrival by the intake staff and then with a follow up review within 30 days.

The screen needed to be updated to include a subjective assessment of whether the inmate is perceived to be lesbian, gay,

bi-sexual, transgender/intersex to ensure compliance with the FAQ which states, . . . "the enumerated factors require both an objective (is) and a subjective (is perceived to be) determination." This was added to the risk assessment; an updated form was sent to the auditor which now provides evidence to support a finding of compliance.

(e) The screening tools addresses the following:

Risk of Sexual Abusiveness:

- conviction for a crime related to sexual abuse in institutional setting or community
- registered sex offender
- history of committing institutional sexual aggressive behavior
- history of sexual activity while incarcerated
- history of sexual abuse or sexual assault toward others
- history of physical abuse toward others
- convicted of a violent offense
- history of institutional violence
- prior domestic violence/ related order for such
- prior segregation for violence or sexual acts while incarcerated
- previous predatory history while incarcerated
- Prior behavior for touching someone sexually against their will or forced sexual activity
- Gang affiliation
- Prior physical assault while incarcerated
- History of strong arming while incarcerated
- Institutional history of violence

In addition, to areas required by the provisions, the screen addresses gang affiliation.

(f) Policy and staff are conducting a secondary risk assessment. As indicated in the random request for the documentation for the first inmate to arrive each month for the previous 11 months, a second 30-day risk assessment was being completed.

However, in interviewing the staff conducting these, this assessment was not completed in person as required in the FAQ. The FAQ states, the 30-day affirmative reassessment requires, at a minimum, that screening staff consult available sources (including the inmate) to determine whether any previously unknown triggering event or information has become available and to document such review. Policy was updated to reflect this assessment will be conducted in person with the inmate.

(g) The PREA Coordinator and his team indicated that they ensure that new information generates an updated risk assessment when referred by staff, when requested by staff, when an investigation has been completed which revealed information that warranted a new risk assessment. They reported that no new information or sexual abuse or harassment incident warranted a new risk assessment. The auditor found this credible.

(h) The interview with the Intake staff and PREA Coordinator confirmed that the agency would not require an inmate to answer sensitive questions - (d)(1), (d)(7), (d)(8), or (d)(9) if they did not want to respond. Inmate interviews confirmed that they did not believe they would be disciplined if they did not respond.

(i) Per the interview with the Intake staff and the PREA Coordinator, Risk assessments are maintained in the Offender Management System (OMS) which has appropriate controls on which staff can access the data, hard copies are maintained in the record office, in the six-part folder, which has restrictions on who can access the room and the files. The area where they are secured was observed by the auditor during the site review; located in the Intake processing area. It is secure, and intake staff confirmed how access is controlled.

Summary of evidence to support a finding of compliance: The updated policy supports compliance with all aspects of the standards including the 30-day review in person. Inmates acknowledged being asked the questions on the risk assessment. Inmates were asked if they felt they would be disciplined for not answering the questions; they answered no. Interview with the intake staff and PREA Coordinator supports compliance with completing the risk screen upon arrival. Appropriate controls on the information are in place by maintenance in a secure office and access to the OMS. Randomly requested

initial and 30 follow up risk assessments confirmed that the process is occurring. Observations of the intake process demonstrated that it is conducted in private. With the updates provided by the facility, the auditor finds there is sufficient evidence to support a finding of compliance.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · 420.01 Classification · 440.01 Admission and Orientation · Interview with the investigator · Observations · Interviews PREA Compliance Manager · Interview Staff who conduct Risk screens · Interview Transgender inmates · Interview PREA Coordinator <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states,</p> <p><i>Identification, Reporting, and Screening During Admission</i></p> <p><i>All inmates are screened within 72 hours of arrival at BCCF for potential vulnerabilities as victim or for potential sexually aggressive or predatory behavior (PREA Screening Instrument).</i></p> <p><i>Upon learning that an inmate has been identified as having been a victim or predator or is at risk for such, the Facility Shift Supervisor shall carefully assess the immediate needs and housing assignment of the inmate. Where double bunking is necessary, the staff members making cell assignments shall rely upon standard guidelines for cell matching and good judgment in selecting a cellmate for the inmate. Cell assignments shall be made by Classification, Facility Shift Supervisor and/or Unit Team Manager. Special Operations will be notified for monitoring purposes of those inmates identified as potential for sexual abuse victimization.</i></p> <p><i>Classification</i></p> <p><i>The Sheriff's Office shall use all relevant information to make classification and programming decisions with the goal of keeping all inmates safe and free from sexual abuse.</i></p> <p><i>LGBTI status shall not be an indicator of likelihood of being sexually abusive.</i></p> <p><i>Vulnerable inmates will be classified in the least restrictive environment that is operationally feasible.</i></p> <p><i>Housing and program assignments for transsexual and intersex inmates shall be made on a case by case basis.</i></p> <p><i>LGBTI inmates shall not be classified based solely on identification or status.</i></p> <p><i>Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.</i></p> <p>420.01 Classification states, <i>TRANSGENDER REVIEW COMMITTEE: Established to address classification requests from inmates raising transgender related issues and comprised of the Assistant Superintendent, the Assistant Deputy Superintendent, PREA Coordinator, the Classification Supervisor and representatives from medical, mental health and human services. The committee will be chaired by the Assistant Superintendent.</i></p> <p><i>Classification recommendations, housing placement and program participation are based upon but not limited to: a. Special needs (mentally ill, drug addicts, handicapped, emotionally disturbed, chronically ill) b. Inmates with previous criminal records, nature of charges and behavior within the facility that are determined to be a threat to persons, property or the security of the facility, or in need of protection from other inmates. c. The Transgender Review Committee shall undertake a gender identity review (MGL Chapter 4 §7, Fifty-ninth) which shall include but is not limited to: an interview with the inmate during which the inmate's own opinion of their management in the jail population shall be considered; the inmate's medical history; the inmate's care or treatment of the gender related identity; consistent and uniform assertion of the gender-related identity; or any other evidence that the gender-related identity is sincerely held as part of a person's core identity. Gender-related identity shall not be asserted for any improper purpose. The Committee shall also consider whether particular</i></p>

placement would not ensure the prisoner's health or safety or that the placement would present management or security problems. The Sheriff or his/her designees shall make the final determination as to the management, including searching and housing, of transgender inmates, after consultation with the Committee.

A Classification Officer shall be assigned to each inmate within seventy-two hours of their admittance to the Facility. The Classification Officer shall be available to the inmate on a regularly scheduled basis and upon request. The Classification Officer shall ensure that appropriate intake admission and orientation procedures have been completed.

(a) (b) As indicated in policy, classification staff are assigned to each inmate; they are able to access the Information regarding vulnerability. They have decisions over housing, work assignments and programming in the facility. The interview with the investigator and corresponding documentation confirmed to the auditor that he monitors those inmates deemed vulnerable or predatory.

(c) (d) (e)(f) At the time of the audit, it was reported there was one inmate who identified as transgender male. He has not been at the facility long enough to receive this six-month evaluation. The interview with the PREA Coordinator confirmed to the auditor that the PREA Coordinator/Transgender Committee would be responsible for this review with assistance of the case manager assigned to assist him with his needs. Based on the size of the facility and involvement of the PREA Coordinator in daily activities, the auditor found this credible. The interview with the transgender male confirmed that his views have been given serious consideration regarding housing and searches. He comfortable with the single shower, his opinion is considered when placed in housing and work assignments.

(g) During the audit process of touring reviewing documentation and interviewing staff, it is determined that this facility does not have dedicated facilities, units, or wings solely on the basis of such identification or status as transgender, intersex, homosexual, bi-sexual, gay or lesbian.

Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. Policy details how the facility ensures safety of inmates based on the results of the risk assessment. The Transgender Classification Committee provides the attention and detail for this population to ensure their views are considered. Interviews with the investigator demonstrates that he monitors inmates deemed potential predator and potential victim to ensure safety. Facility leadership is involved in housing and assignment decisions in which the inmate's needs are best decided. The auditor finds there is sufficient evidence to support a finding of compliance.

115.43	Protective Custody
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations: During the tour of Restricted Housing · Interviews Superintendent · Interviews Staff who supervise Restrictive Housing · PAQ <p>The PAQ states that no inmates have been placed in involuntary protective custody due to their high risk of sexual victimization. The auditor found no evidence to dispute this during the audit process.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If the facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.</i></p> <p><i>Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:</i></p> <ul style="list-style-type: none"> a) <i>The opportunities that have been limited;</i> b) <i>The duration of the limitation; and</i> c) <i>The reasons for such limitations</i> <p><i>Inmates shall be segregated from other inmates only as a last resort when least restrictive measures are inadequate. This segregation shall only last until alternative measures can be arranged. A review will be conducted every 30 days to assess whether continued segregation from other inmates is necessary.</i></p> <p><i>If an involuntary segregated housing assignment is made based on section E (6), the facility shall clearly document:</i></p> <ul style="list-style-type: none"> a) <i>The basis for the facility's concern for the inmate's safety;</i> b) <i>The reason why no alternative means of separation can be arranged; and</i> c) <i>Every 30 days the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population.</i> <p><i>Inmates who are classified away from the general population into an At-Risk housing unit because of risk of victimization or abusiveness shall receive the opportunity to exercise/shower daily and shall receive any legally required educational programming.</i></p> <p>Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. The PAQ states that no inmates have been placed in restrictive housing for protective custody to separate a victim from his abuser. The auditor found no reason to dispute this fact during the audit process. Due to the physical plant, the facility has numerous options for placing an inmate for separation from his abuser without having to resort to placement in protective housing status. The interview with the Superintendent confirmed that restrictive housing will be used as a last resort. Interviews with one supervisor of the restrictive housing and one officer who was working in the Special Housing Unit (SHU) support that they have no knowledge of inmates who are alleged victims, or at risk for victimization being placed in these units. Based upon the written authority, observations and these interviews, the auditor finds the facility is substantially compliant with this standard.</p>

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · 220.04 Employee Sexual Misconduct with Inmates · 511.01 Inmate Discipline · 530.01 Inmate Mail · Inmate Handbook · Documentation of calls made to the internal hotline · Testing of phone number for outside reporting · PREA posters · Interviews inmates · Interviews random staff <p>The following policies require compliance with this subpart:</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA)</p> <p><i>A hotline shall be designated within the inmate telephone system that inmates may use to alert appropriate staff about possible cases of sexually abusive behavior. The hotline telephone number is 508-563-4484. This number shall allow for universal and unimpeded access by all inmates within the BCCF. Inmates will also have the option of reporting sexually abusive behavior to a designated staff member other than an immediate point of contact line officer.</i></p> <p><i>The Sheriff's Office shall provide inmates with the ability to contact a 3rd party public or private entity that is not part of the Sheriff's Office to report sexual abuse or harassment.</i></p> <p><i>All Sheriff's Office employees, contractors and volunteers are to immediately report to the Facility Shift Supervisor any knowledge, suspicion or information regarding an incident of sexual abuse or sexual harassment that occurred either in the Barnstable County Correctional Facility or any other facility. Any retaliation against inmates or staff who reported such an incident and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation are also to be reported.</i></p> <p>220.04 Employee Sexual Misconduct with Inmates states,</p> <p><i>The purpose of this document is to establish Barnstable County Sheriff's Office (hereinafter, the "BCSO") policy and procedure prohibiting all staff, volunteers, interns and vendors (hereinafter, the "employee") from engaging in intimate relationships with inmates. Additionally, to help inmates and employees recognize employee sexual misconduct with inmates and to inform inmates/employees as to the proper procedure in reporting employee sexual misconduct with inmates.</i></p> <p>Inmates in the Disciplinary Detention unit have access to a telephone during their recreation period which is 2 hours and 15minutes. This phone affords them the ability to call the hotline. For both general population and disciplinary detention, policy supports that there is a secure mailbox in the unit into which the inmates can drop their letters. A Zone Officer signs out a key on the Midnight Shift to collect the outgoing mail. The outgoing mail is logged into the electronic inmate management system (OMS) and then brought out to be picked up by the US Post Office carrier who comes to our facility Monday through Saturday. Therefore, inmates have access to file a report through the phone or mail even when in restrictive housing.</p> <p>At the time of the audit, Independence House was considered third party public or private entity that can take reports. However, in this state, this type of organization cannot make reports on behalf of callers to ensure that their services are confidential. To correct, the facility established an MOU with the District Attorney who agrees in the MOU to accept reports, allow the person to remain anonymous, and report back to the facility any allegation of sexual abuse or sexual harassment received. The auditor considers this to be in compliance with the requirements of the provision.</p> <p>(a)(b) Inmates are provided information regarding how to make reports at intake via the pamphlet and Inmate Handbook, and</p>

PREA posters viewed throughout the facility. All inmate interviews support knowledge of several options, including an internal hotline number. The auditor requested and received documentation from the phone system of how many calls have been made to the internal hotline. For the last four years, it has been called forty (40) times. This phone number is used for any confidential reporting an inmate wishes to make.

(c) The provision requires that staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports. Staff interviews confirmed that staffs are aware of this expectation and support compliance, including the reporting of suspicions to their immediate supervisor, stating that this information is well received and handled appropriately by the supervisors. Review of the investigations supported that reports are made verbally to staff, documented and reported immediately to their supervisor and/or the Shift Commander.

(d) 220.04 Staff Sexual Misconduct with Inmates informs staff that they can call the Employee Sexual Misconduct with Inmates Hotline, number provided. Staff are required to read and sign off on the policy annually. Documentation of this sign off was provided to the auditor with the pre-audit documentation. Staff interviews revealed that they could go directly to the PREA Coordinator, Superintendent or the option to call the hotline. Follow up comments included in their experience never having a concern which would warrant needing to report privately.

Summary of evidence to support a finding of compliance: The auditor requested, and the facility complied with adding "Any retaliation against inmates or staff who reported such an incident, and any staff neglect or violation of responsibility that may have contributed to an incident or retaliation are also to be reported" to policy. However, inmate interviews assured the auditor they knew they had a right to be free from retaliation and staff knew that this was a reported offense, just as serious as an allegation of sexual abuse and sexual harassment. Staff and inmate interviews acknowledge there are multiple methods for filing a complaint. Investigations were initiated based on numerous avenues. Information in the Inmate handbook supports that indigent inmates will be afforded the ability to send correspondence. Review of the policies, investigations, interviews with staff and inmates, information provided to inmates gave the auditor with sufficient evidence to support a finding of compliance with the standards.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1286 297">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="240 329 1299 528" style="list-style-type: none"> <li data-bbox="240 329 1299 356">· 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) <li data-bbox="240 387 632 414">· Interview Grievance Coordinator <li data-bbox="240 445 488 472">· Inmate Handbook <li data-bbox="240 504 355 530">· PAQ <p data-bbox="240 562 738 620">The PAQ indicates there have been the following zero grievances regarding sexual abuse</p> <p data-bbox="240 651 521 678">zero emergency grievances</p> <p data-bbox="240 710 592 736">zero grievances written in bad faith</p> <p data-bbox="240 768 512 795">zero third party grievances</p> <p data-bbox="240 826 791 853">zero grievances alleging imminent risk of sexual abuse</p> <p data-bbox="240 884 1461 911">300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) GRIEVANCES states,</p> <p data-bbox="240 943 1493 1032"><i>The Sheriff's Office does not impose a time limit on when an inmate may file an institutional grievance regarding an allegation of sexual abuse or harassment. An inmate may use an informal grievance process or otherwise attempt to resolve an alleged incident of sexual abuse.</i></p> <p data-bbox="240 1064 1434 1122"><i>An inmate who alleges sexual abuse may file a grievance without submitting the grievance to a staff member who is the subject of the complaint. The grievance will not be referred to a staff member who is the subject of the complaint.</i></p> <p data-bbox="240 1153 1493 1382"><i>A final agency decision on the merits of any portion of a grievance alleging sexual abuse shall be issued within 90 days of the initial filing of the grievance. Computation of the 90-day time period shall not include time consumed by inmates in preparing any administrative appeal. The Sheriff's Office may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made. At any level of the administrative process, including the final level, if the inmate does not received a response within the time allotted for reply, including any properly noticed extension; the inmate may consider the absence of the response to be a denial at that level.</i></p> <p data-bbox="240 1413 1482 1503"><i>Third parties, including fellow inmates, staff members, family members, attorneys and outside advocates may assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and shall also be permitted to file such requests on behalf of inmates.</i></p> <p data-bbox="240 1534 1457 1664"><i>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 independently. If an inmate declines third-party assistance, this decision will be documented.</i></p> <p data-bbox="240 1695 1378 1722"><i>An inmate may file an emergency grievance alleging they are subject to substantial risk of imminent sexual abuse.</i></p> <p data-bbox="240 1753 1493 1946"><i>When an emergency grievance alleging substantial risk of imminent sexual abuse is received, it shall be immediately forwarded to the Facility Shift Supervisor for immediate corrective action to be taken. The Facility Shift Supervisor shall notify the Shift Captain of any emergency grievances alleging substantial risk of imminent sexual abuse. The response shall be within 48 hours and the grievance is to provide a final decision within 5 calendar days. The initial response and the final decision shall document the determination whether the inmate was in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.</i></p> <p data-bbox="240 1977 876 2004">Inmate Handbook has the following information for the inmates:</p> <p data-bbox="240 2036 1485 2157">"Grievances Inmates generally have the right to file grievances regarding conditions and decisions of the BCCF that concern themselves. Inmates are encouraged to resolve problems informally. If a solution to the problem cannot be reached an inmate may submit an Inmate Grievance Form to the Unit Team Manager within ten (10) business days of the incident or complaint. Revised June 2020 With the exception of an allegation of sexual abuse or harassment, no grievance shall be filed</p>

on behalf of another inmate or filed by a group of inmates on a specific issue or inmate. The Sheriff's Office does not impose a time limit on when an inmate may file an institutional grievance regarding an allegation of sexual abuse or harassment. You may use an informal grievance process or otherwise attempt to resolve an alleged incident of sexual abuse. You may file a grievance without submitting the grievance to a staff member who is the subject of the complaint. The grievance will not be referred to a staff member who is the subject of the complaint."

The interview with the Grievance Coordinator/PREA Coordinator confirmed that any grievance received will be closed out and referred to the investigators for investigation. While in the housing unit, the auditor requested a grievance form and was readily provided one. Random questions presented to some inmates informed the auditor that getting a grievance form is not a problem at this operation.

Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. The interview with the Grievance Coordinator confirmed the grievance is processed and timelines/requirements noted in policy would be followed. Review of the investigations revealed that no grievance was filed related to sexual abuse. The auditor finds there is sufficient evidence to support a finding of compliance.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1286 300">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="240 329 1302 701" style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations · PREA Brochure · PREA Posters · Interviews Random inmates · Inmate Handbook · MOU with Independence House/Information on Massachusetts Rape Crisis programs <p data-bbox="240 730 1485 891">300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>The Sheriff's Office will maintain an MOU with community service providers to provide inmates with confidential support services related to sexual abuse. Independence House operates a toll-free phone number for inmates to access outside confidential support services. The toll-free number and mailing address are listed in the Inmate Handbook and the hotline is also written on the PREA poster.</i></p> <p data-bbox="240 920 339 949">(a) (b) (c)</p> <p data-bbox="240 978 1437 1039">A Memorandum of Understanding (MOU) between the Independence House and the Barnstable County Sheriff's Office, effective through to May 30, 2023 has the following:</p> <ul data-bbox="240 1068 1477 1305" style="list-style-type: none"> · Independence House is a private non-profit operation with staff specifically trained to provide services required by a Rape Crisis Center. · Respect and nature of privileged communication · Hotline number added to each inmate list and note that the call is toll-free and confidential and on an unrecorded line. · Confidential services via mail, in person and via toll free hotline <p data-bbox="240 1335 695 1364">The inmate handbook indicates the following:</p> <p data-bbox="240 1393 595 1422">PREA-Prison Rape Elimination Act</p> <p data-bbox="240 1451 1489 2145">"The Prison Rape Elimination Act (PREA) was signed into law on September 4, 2003. It specifically addressed the issue of rape in correctional and detention facilities. The main goal of the law is to support reduction, elimination and prevention of rape and sexual misconduct within adult and juvenile custody at the federal, state and local levels. Barnstable County Sheriff's Office is committed to a Zero Tolerance policy regarding prison rape and sexual victimization. This zero tolerance policy affects all departments, community corrections units, every employee, volunteer, vendor and every person under correctional supervision. A telephone "Hotline" has been set up through the inmate telephone system that will allow you to report any contact of a sexual nature with other inmates, staff, volunteers and/or outside contractors. The number is (508) 563-4484 and can be universally accessed by all inmates. Inmates are not required to place this number on his/her PIN list. All inmates have the right to be free from sexual exploitation during your incarceration at Barnstable County Correctional Facility. Sexual violence and rape are never right and in the spirit of the Prison Rape Elimination Act, the Barnstable County Sheriff's Office recognizes the impact prison rape and misconduct has on victims, the correctional environment and the community. Barnstable County Sheriff's Office response to allegations will be consistent with the following goals: · Respond to reports of sexual assault in a manner that is timely, humane, respectful and comprehensive. · Facilitate education/training of staff and offenders regarding reporting procedures · Maintain confidentiality of investigations and sensitivity towards alleged victims · Provide victims with follow-up medical and mental health services, as appropriate · Provide protection and prohibit retaliation · Hold accountable those in violation of sexual misconduct laws. An additional toll-free and confidential Rape Crisis Hotline number has been made available to all inmates. The number is 1 (800) 439-6507 and will connect you to Independence House, leading resource, counseling and advocacy center to address and prevent domestic and sexual violence. You can also write to Independence House at: 160 Bassett Lane, Hyannis, MA 02601 All services are free and confidential and are available in English, Brazilian Portuguese & Spanish. Additional translation services are available. Calling the Rape Crisis Hotline and not informing Sheriff's Office staff will not allow for your immediate protection and</p>

investigation of a crime. You should notify Sheriff's Office Staff immediately if you have been a victim of sexual misconduct or sexual assault. If you do not feel comfortable reporting a sexual assault or sexual misconduct yourself, you are encouraged to ask a friend or family member to report it for you.

Telephones

You are allowed to make calls on the collect phones that are located in your unit. A toll-free, confidential Rape Crisis Phone number has been added accessible to you. This number is 1 (800) 439-6507. Calling the Rape Crisis Hotline and not informing Sheriff's Office staff will not allow for your immediate protection and investigation of a crime. You should notify Sheriff's Office Staff immediately if you have been a victim of sexual misconduct or sexual assault. If you do not feel comfortable reporting a sexual assault or sexual misconduct yourself, you are encouraged to ask a friend or family member to report it for you."

The PREA Brochures has the Independence House/Cape Cod Rape Crisis Center noted with the address and toll-free hotline.

The PREA poster provides the "Toll-Free and Confidential Rape Crisis Hotline Number."

Posters were observed during the site review in every housing unit. Inmate interviews confirmed awareness of the number, and most were aware of the service it provided. The auditor tested the hotline from an inmate phone and was able to communicate with a counselor from this organization. Additionally, most inmates are qualified to receive tablets that can make phone calls providing reasonable communication for making calls to this organization. They were aware that it is confidential, but not sure if it was recorded. They were aware of the mailing address being available.

A document entitled, "Massachusetts Rape Crisis Programs" support that these programs are funded in part by the Massachusetts Department of Public Health. They offer free, confidential services for adolescent and adult survivors provide trained rape crisis counselors at all local rape crisis program. This includes a 24/7 hotline counseling, information and referrals, meeting with sexual assault survivors 24/7 at a hospital or police station, accompany the sexual assault survivor to court, provide individual counseling, education, professional training and outreach. There are sixteen rape crisis center and one statewide hotline in Massachusetts. This publication is dated 2015. The Independence House is listed as one of the sixteen centers.

Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. The MOU and information on Publicly Funded Rape Crisis Programs support the facility provides inmates with access to outside emotional support services. Information provided at intake, the handbook and on the PREA posters supports that inmates are informed on the number and that it is toll free and confidential. Inmates with tablets are able to make reasonably private phone calls to these organization. Inmates in restrictive housing are provided access to the phone and the mail. Inmate interviews confirmed to the auditor that they are aware of the organization and the phone number. For these reasons, the auditor finds there is sufficient evidence to support a finding of compliance.

115.54	Third-party reporting
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · Observations · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Facility website · Interview with the PREA Coordinator · Interview with the Superintendent <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states,</p> <p><i>Public Education</i></p> <p><i>The Superintendent/designee shall work closely with the PREA Task Force to develop and implement a communication plan to inform agency constituents, other state agencies, work release employers and the general public regarding the PREA initiative undertaken by the Sheriff's Office and how they can support these efforts. This may include informational pamphlets, video presentations, discussion forums, postings on the Sheriff's Office internet page and news releases as appropriate.</i></p> <p>The agency website has the following information:</p> <p>Prison Rape Elimination Act (PREA)</p> <p>Barnstable County Sheriff's Office</p> <p>The Barnstable County Sheriff's Office is committed to upholding the Prison Rape Elimination Act (PREA) of 2003 by asserting a Zero-Tolerance Policy for all Barnstable County Sheriff's Office employees, volunteers, contractors, vendors and every person under correctional supervision provided by the Barnstable County Sheriff's Office and/or housed at the Barnstable County Correctional Facility.</p> <p>There are three ways to report an assault or a victimization of a sexual nature:</p> <p>Call the BCSO PREA Hot Line at: 508-563-4484</p> <p>Email: bcso@bsheriff.net</p> <p>Verbally advise a BCSO staff member</p> <p>Report in writing to:</p> <p>BCSO Special Operations Unit 6000 Sheriff's Place Bourne, MA 02532</p> <p>Reports of PREA violations will be kept as confidential as the circumstances allow.</p> <p>If an investigation by the Barnstable County Sheriff's Office finds that an inmate, BCSO employee, volunteer, contractor or vendor has knowingly made false allegations or made a material statement which they could not have believed to have been true, then the Barnstable County Sheriff's Office may take appropriate disciplinary action and/or criminal action as deemed appropriate in accordance with Massachusetts General Laws.</p> <p>Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. Review of the website and interviews with the Superintendent and the PREA Coordinator confirmed that third party complaints will be immediately addressed.</p>

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations · Interviews Random sample of staff · Interviews Medical & Mental Health staff · Interview PREA Coordinator · Inmate Handbook · Interview with medical and mental health staff · Interview with the investigator · Review of investigations <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>All Sheriff's Office employees, contractors and volunteers are to immediately report to the Facility Shift Supervisor any knowledge, suspicion or information regarding an incident of sexual abuse or sexual harassment that occurred either in the Barnstable County Correctional Facility or any other facility. Any retaliation against inmates or staff who reported such an incident and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation are also to be reported.</i></p> <p><i>All allegations and incidents of inmate on inmate, staff on inmate, or inmate on staff sexually abusive behavior, whether reported verbally, in writing, anonymously or by 3rd parties, shall be immediately reported by Sheriff's Office employees, contractors or volunteers to the Facility Shift Supervisor verbally, and followed up with a report to the Superintendent before the end of their shift. During non-business hours these allegations shall be reported to the Facility Shift Supervisor and Duty Officer who shall ensure that the Superintendent/Assistant Superintendent is immediately notified. Failure of any Sheriff's Office employee, contractor or volunteer to report these allegations may result in disciplinary action up to and including termination.</i></p> <p><i>Staff shall not reveal any information related to a sexual abuse report to anyone other than those involved in the investigation.</i></p> <p><i>The Superintendent shall notify the Sheriff, Special Sheriff and the Assistant Superintendent of any incident of alleged sexually abusive behavior. If the allegations involve a possible violation of state law, the Superintendent shall immediately notify the Sheriff who shall authorize the notification of the District Attorney's Office.</i></p> <p><i>The facility shall report all allegations of sexual abuse and sexual harassment including third party and anonymous reports to the facility's designated investigators.</i></p> <p><i>The Superintendent shall ensure that reports by Sheriff's Office employees, contractors, and volunteers regarding suspicions of sexually abusive behavior or related activities are disseminated to those that are on a need-to-know basis. Local investigators should follow-up on such reports by interviewing staff and inmates and developing intelligence as appropriate.</i></p> <p>(a) (b) Interviews with staff revealed that staff are keenly aware of the requirement to report immediately any suspicion, knowledge or information on sexual abuse, sexual harassment, retaliation and/or staff neglect that may contribute to sexual abuse or sexual harassment. Review of the investigations and interviews with the investigators support that an immediate notification is made. Staff was also keenly aware of the requirement to maintain confidentiality after the allegation is made.</p> <p>(c) The interviews with medical and mental health staff confirmed to the auditor their awareness that they need to report. Additionally at intake, this is reviewed, in writing with the inmate, signed by the inmate. Specifically, "I understand that Medical/Mental health Staff are mandated reporters and are required to report immediately any knowledge, suspicion, or information pertaining to an incident of sexual abuse or sexual harassment that occurred within the facility."</p> <p>(d) This facility does not house inmates under the age of 18. Per the Massachusetts State Law, Elder abuse states, Elder Protective Services can only investigate cases of abuse where the person is age 60 and over and lives in the community. However, policy still supports that the need to be report to outside agencies be assessed.</p>

(e) Review of the investigations and interview with the investigators support that all allegations are referred to the investigators for review and investigation.

Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards.

Overall observations of the audit tasks such as the interviews with staff, including medical and mental health, investigators, review of state laws, and administrators support knowledge of the requirement, process and need to maintain confidentiality.

115.62	<p>Agency protection duties</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations · Interviews Special Sheriff · Interview Superintendent · Interview Random staff · PAQ <p>The PAQ indicates there have been no times the facility determined that an inmate was at risk of imminent sexual abuse. The auditor found no reason to dispute this during the audit process.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>All Sheriff's Office employees, contractors and volunteers are to immediately report to the Facility Shift Supervisor any knowledge, suspicion or information regarding an incident of sexual abuse or sexual harassment that occurred either in the Barnstable County Correctional Facility or any other facility. Policy, physical plant, camera monitoring and staff interviews support that the facility is prepared and willing to protect any inmate from any risk of harm." Policy was updated to reflect that any inmate subject to a substantial risk of sexual abuse by an inmate, employee, contractor or volunteer is to be reported immediately in accordance with the facility response plan which includes separating the potential victim from the potential abuse.</i></p> <p>Summary of evidence to support a finding of compliance:</p> <p>Policy reflects compliance with the provisions of the standards. The interview with the Special Sheriff and the Superintendent confirmed that an inmate at imminent risk of sexual abuse or any imminent risk of harm shall have immediate action taken to ensure his safety. All staff interviews confirmed to the auditor that they would take immediate action if they believed an inmate was at imminent risk of sexual abuse. Inmate interviews illustrated to the auditor that staff are approachable. Corrections Officers and supervisors confirmed that this request to intervene before something has occurred would be supported, and action would be taken to protect the inmate before the suspected event occurred. Based on this and overall observations during the audit, the auditor found this credible and to be an integral part of the culture of this facility.</p>
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115.63	Reporting to other confinement facilities
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1286 300">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="242 329 1299 645" style="list-style-type: none"> <li data-bbox="242 329 1299 358">· 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) <li data-bbox="242 387 560 416">· Interview Superintendent <li data-bbox="242 445 357 474">· PAQ <li data-bbox="242 504 703 533">· Notifications to and from other agencies <li data-bbox="242 562 831 591">· Observations of notifications in the investigation files <li data-bbox="242 620 692 649">· Notification form (attachment to policy) <p data-bbox="242 678 1398 736">The PAQ indicates that two allegations were received that inmate was abused while confined at another facility, one allegation of sexual abuse was received from another facility.</p> <p data-bbox="242 766 1453 893"><i>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, If an inmate makes an allegation that they were sexually abused while confined at another facility, the Sheriff or his/her designee shall notify within 72 hours the head of the facility or appropriate office of the agency where the alleged sexual abuse occurred. This notification shall be documented.</i></p> <p data-bbox="242 922 1469 1050">(a)(b) (c) As indicated, there were two allegations that were reported to other facilities. Copies were provided to the auditor for review. Notifications provided the information as required by the standard provisions. One notification was from the Deputy Superintendent to the facility head. The facility was informed of the requirement for facility head to facility head, noting that when in an acting capacity that needs to be reflected on the memo.</p> <p data-bbox="242 1079 1477 1176">(d) The interview with the Superintendent confirmed that any receipt of allegations that occurred at his facility will be immediately reported to the investigators for investigation. Review of the investigation for the twelve-month review period for the one allegation received from another facility confirmed this.</p> <p data-bbox="242 1205 1445 1332">Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. The review of notification forms/investigations and interviews with the Superintendent provided the auditor with sufficient evidence to support a finding of compliance. There is a process in place to ensure the requirements of this standard are met.</p>

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:

- 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA)
- Random staff interviews
- PREA Training Curriculum
- PAQ

The PAQ indicates there were zero allegations of sexual abuse, zero allegations of sexual abuse that allowed for time to collect evidence. There were zero times that a security staff or non-security staff responded that slowed for the collection of evidence. The auditor found no reason to dispute this during the audit process.

The following policy excerpts support compliance with this standard.

300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA)

The security and safety of all persons, whether Sheriff's Office employees, contractors, volunteers or inmates, is a fundamental objective of the Sheriff's Office. As such, it is an integral part of every employee's job to prevent and report sexually abusive behavior.

Immediate Response to Sexually Abusive Behavior Complaints or Threats of Imminent Sexual Abuse

In the event that an inmate reports that they have been sexually abused or they are subject to a substantial risk of imminent sexual abuse by an inmate, employee, contractor or volunteer the Sheriff's Office employee, contractor, or volunteer receiving such a complaint shall take the following steps:

Immediately separate the victim from the assailant or potential abuser

Immediately notify the Facility Shift Supervisor.

If the inmate reports they have been sexually abused when no medical or mental health services staff are available, the Shift Supervisor will assign a First Responder Security Staff to respond to the location and also contact the BCSO Communications Division for the Bourne Rescue Service to transport the alleged victim to Falmouth Hospital.

Request that the Facility Shift Supervisor secure the scene if warranted, for subsequent crime scene processing.

The Facility Shift Supervisor shall notify the Shift Captain, or if the Shift Captain is not available, the Superintendent and the Assistant Superintendent during business hours and the Duty Officer if during non-business hours.

Make note of the behavior and appearance of all parties and identify any witnesses to the event.

Ensure that the inmate victim is immediately taken to the facility medical department for emergency medical care/mental health treatment.

If the abuse occurred within a time period that still allows for the collection of physical evidence, neither the victim nor the alleged abuser will be allowed to take any action that could destroy physical evidence including washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

Complete a detailed report to include documentation of immediate separation of the victim and the assailant by the end of their business day.

Complete a detailed confidential report in OMS. Must check off the box that indicates "Private" in order to ensure its confidentiality. It is imperative that you do not save the document until you CHECK OFF this box and until the Shift Captain, or if not available, the Facility Shift Supervisor reviews the report content.

Upon submission of the Confidential Incident Report to the Superintendent the Shift Captain or in the absence of the Shift Captain, the Facility Shift Supervisor must e-mail the following staff: Superintendent and the Assistant Superintendent to immediately alert them of notification of said incident.

Summary of evidence to support a finding of compliance:

Policy reflects compliance with the provisions of the standards. Policy provides specific direction on how to respond to an allegation of abuse to ensure safety of the victim as well as how to preserve evidence. Both first responder staff and non-first responder staff attend training as required in 115.31; these requirements are reinforced at that time. All staff interviews demonstrated knowledge of the process support a finding of compliance.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · PREA Training Curriculum · Random staff interviews · Observations - PREA Evidence Collection Kit · Interview Superintendent · Interview with Shift Supervisor <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) Attachment provides a detailed response/checklist to include Shift Supervisor immediate Response, Medical Response, Superintendent's Response, Investigator notification.</p> <p>Summary of evidence to support a finding of compliance:</p> <p>Policy reflects compliance with the provisions of the standards. Review of the coordinated plan, review of the training curriculum which reinforces the actions of the plan, interview with all staff who are knowledgeable regarding the plan, all provided the auditor with sound evidence that the plan is detailed, and coordinates actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · Union contracts · Interview Special Sheriff · Interview with two union representatives <p>The auditor reviewed the following document and found no limits to the Sheriff's Office to remove alleged staff abusers.</p> <ul style="list-style-type: none"> · Barnstable County Correctional Officers Union · Barnstable County Correctional Officers Captain's Union · National Correctional Employees Union (NCEU) Local 122 <p>Summary of evidence to support a finding of compliance: An interview with two union representatives indicated that their union has no concern with the need to remove staff from contact pending an investigation. The interview with the Special Sheriff confirmed he has no hinderance from the union regarding reassignment of staff pending an investigation. Review of the contracts support there is no limit on the agency's ability to remove alleged staff contact with inmates pending the outcome of an investigation. Therefore, the auditor finds there is sufficient evidence to support a finding of compliance.</p>

115.67	Agency protection against retaliation
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Interviews Special Sheriff · Interview Superintendent · Interview with designated staff members charged with monitoring for retaliation · PAQ <p>The PAQ indicates that there were no reported incidents of retaliation occurred. The auditor found no reason to dispute this during the audit process.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Retaliation: Retaliation by any employee against another employee, contractor, volunteer or an inmate for reporting complaints of sexually abusive behavior, for assisting in making such a report, or for cooperating in the investigation of such a complaint regardless of the merits or disposition of the complaint is prohibited. Any such occurrence is a very serious matter that may result in discipline up to and including termination. Special Operations PREA investigators or their designee shall monitor for at least 90 days following a report of sexual abuse the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff and shall act promptly to remedy any such retaliation. In the case of inmates, such monitoring shall also include periodic status checks. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need. Monitoring obligation terminates if allegation is unfounded.</i></p> <p><i>Housing changes or transfers for inmate victims or abusers shall be considered as protective measures for inmates who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. The removal of alleged staff or inmate abusers from contact with victims and emotional support services for inmates or staff -that may fear retaliation will also be considered.</i></p> <p><i>The Barnstable County Sheriff's Office shall take appropriate measures to protect any individual who cooperates with an investigation and expresses a fear of retaliation.</i></p> <p>A trained sexual assault investigator is designated as the person responsible for retaliation monitoring. He confirmed would check in with the inmates weekly and would extend the monitoring beyond 90 days if deemed warranted. At the time of the audit, a form was not utilized to document this. The auditor suggested that a document be developed to ensure that this proactive monitoring is documented. Review of the investigation revealed that no allegation was made that required retaliation monitoring as they were either deemed unfounded or not considered PREA by definition and were completed in one to two days. The investigator did demonstrate to the auditor that he is aware of who is considered a PREA risk, maintains a list and ensures that they are monitored by his office, as noted in 115.42.</p> <p>Summary of evidence to support a finding of compliance:</p> <p>Policy reflects compliance with the provisions of the standards. Interview with the designated retaliation monitor supported compliance based on his responses to questions, experience at the facility and specific documentation he provided showing how he accomplishes this task. The interviews with the Sheriff, Superintendent, and PREA Coordinator support that the facility will protect anyone who fears retaliation. The physical plant affords numerous options to change housing, if needed. In an extreme event, they can make arrangements with another county jail to have him placed there.</p>

115.68	Post-allegation protective custody
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Interviews Superintendent · Interview Staff who supervise restrictive housing · PAQ <p>The PAQ indicates there has been no incident where an inmate who suffered sexual abuse was held in involuntary segregated housing in the past twelve months. The auditor found no reason to dispute this during the audit process.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Inmates at high risk for sexual victimization or who have alleged sexual abuse shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If the facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.</i></p> <p><i>Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:</i></p> <ul style="list-style-type: none"> a) <i>The opportunities that have been limited;</i> b) <i>The duration of the limitation; and</i> c) <i>The reasons for such limitations</i> <p><i>Inmates shall be segregated from other inmates only as a last resort when least restrictive measures are inadequate. This segregation shall only last until alternative measures can be arranged. A review will be conducted every 30 days to assess whether continued segregation from other inmates is necessary.</i></p> <p><i>If an involuntary segregated housing assignment is made based on section E (6), the facility shall clearly document:</i></p> <ul style="list-style-type: none"> a) <i>The basis for the facility's concern for the inmate's safety;</i> b) <i>The reason why no alternative means of separation can be arranged; and</i> c) <i>Every 30 days the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population</i> <p><i>Inmates who are classified away from the general population into an At-Risk housing unit because of risk of victimization or abusiveness shall receive the opportunity to exercise/shower daily and shall receive any legally required educational programming.</i></p> <p>Interviews with staff who regularly supervision special housing and the Superintendent both confirmed to the auditor that placement for an inmate who is alleged to have suffered sexual abuse has not occurred. The Superintendent reinforced that there are numerous options available to ensure a safe placement before use of special management. He noted that policy is in place should the options reviewed lead to that placement to ensure the provisions of the standard are met. See comments to 115.43.</p> <p>Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. The PAQ indicates they have not had to use restrictive housing to protect an inmate who is alleged to have suffered sexual abuse. Policy addresses the requirements in the event of an occurrence in the future.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations · Interviews Investigative staff · Interview with the Superintendent · Interview with the PREA Coordinator · Investigative reports · Random staff interviews · PAQ <p>The PAQ indicates no substantiated allegations of conduct that appeared criminal were referred for prosecution since the last PREA audit. The auditor found no reason to dispute this during the audit process.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>INVESTIGATION OF SEXUALLY ABUSIVE BEHAVIOR COMPLAINTS</i></p> <p><i>The Sheriff's Office shall use all available means to fully investigate and address all allegations and incidents of sexually abusive behavior.</i></p> <p><i>Sexually Abusive Behavior Between Inmates:</i></p> <p><i>Investigations of reported incidents of sexually abusive behavior between inmates shall be initiated by the Superintendent and the Assistant Superintendent. The Assistant Superintendent shall be responsible for producing an investigative report within seven business days unless the time is extended by the Superintendent.</i></p> <p><i>A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.</i></p> <p><i>Staff Accused of Sexually Abusive Behavior with Inmates:</i></p> <p><i>If a staff member is accused of sexually abusive behavior with an inmate, the Superintendent shall initiate an investigation pursuant to BCSO Policy 220.04, Staff Sexual Misconduct with Inmates. The staff member may be placed by the Sheriff or Superintendent on a "no inmate contact status" or "suspended with or without pay status" pending an investigation of the matter. Contractors who are accused of sexually abusive behavior may be removed from the facility until the investigation is completed. All volunteers who are accused shall be barred from entering the correctional facility until the investigation is completed.</i></p> <p><i>Following an inmate allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate whenever;</i></p> <p><i>The staff member is no longer posted within the inmates unit;</i></p> <p><i>The staff member is no longer employed at the facility</i></p> <p><i>The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or</i></p> <p><i>The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility; and</i></p> <p><i>All such notifications or attempted notifications shall be documented.</i></p> <p><i>Investigation:</i></p> <p><i>There shall be two or more BCSO investigators trained to conduct investigations in confinement settings. Appropriate non-legal investigators shall include both male and females staff who are known for their impartiality. In the event of an outside</i></p>

agency investigation, the facility will cooperate with the investigators and endeavor to remain informed about the progress of the investigation.

After receiving the complaint, the allegation will be investigated promptly in a fair, impartial and expedient manner. The level of evidence required to prove sexual abuse shall be by a preponderance of the evidence. The credibility of an alleged victim, suspect or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. No inmate who alleges sexual abuse shall be required to submit to a polygraph examination or other truth telling devices as a condition for proceeding with the investigation of such an allegation.

The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

The investigation will include a private interview with the person filing the complaint, the harasser (alleged to have committed sexual harassment, harassment, and/or discrimination) and any witness(es). Prior complaints and reports of sexual abuse involving the suspected perpetrator shall also be reviewed.

Throughout the investigation as well as at the conclusion of the investigation the investigator will deliver the report(s) to the Sheriff's Office Administration who will review the investigation and determine what action to take based upon the investigation.

The departure of the alleged abuser or victim from the employment or control of the facility shall not provide a basis for terminating an investigation.

Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence, and any available electronic monitoring data.

Administrative investigations shall include an effort to determine whether staff actions or failures to act, contributed to the abuse and shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments and investigative facts and findings.

CASE RECORDS

All case records associated with claims of abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment and/or counseling are retained for 10 years or five years after the length of incarceration, whichever is greater.

All written reports related to administrative and criminal investigations involving staff members are retained for as long as the alleged abuser is employed by the agency, plus five years.

(a) The auditor interviewed the main investigator for the facility. The interview with him and review of the investigations confirmed that he has received referrals for all allegations of sexual abuse and sexual harassment. He confirmed that criminal investigations are referred to the Barnstable County District Attorney. All staff indicated to the auditor during interviews that they have received anonymous notes (not alleging sexual abuse) that are turned over to their supervisor immediately. Staff interviews confirmed that they would refer a third-party complaint to the investigators via supervisors.

(b) All designated investigators receive training. See 115.34

(c) The interview with the investigator and review of the investigations confirmed that any relevant evidence is gathered to include physical, DNA (with the assistance of an investigator from the Barnstable County District Attorney) electronic monitoring data and interviews of all parties who may have relevant information. A data base is maintained to consult if there were prior investigations involving the individuals.

(d) (e) The interview with the investigator confirmed that he concludes credibility on the collaborating evidence. He confirmed that polygraph or truth telling devices are not used. The investigator confirmed the District Attorney's office would be consulted before conducting compelled interviews.

(f) The investigator confirmed that a review of staff actions or failures that may have contributed to the incident are inherently part of every investigation. All investigations are organized electronically.

(g) (h) Criminal investigations can be conducted by the State Police Unit of the Barnstable County Prosecutor's Office. Investigations initiated at the facility use the same electronic format.

(i) The auditor asked where and how evidence is maintained; the area was described to support that they are maintained electronically and/or in a secure area with limited, controlled access. The auditor observed the secure area where the investigators work during the onsite audit.

(j) This was confirmed in the interview with the investigator.

(l) If the state police investigate, the investigator and PREA Coordinator confirmed that they remain informed of the progress of the investigation.

Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards.

Interview with the main PREA investigator confirmed compliance with all the provisions of the standard. Investigations were few but revealed that the facility will immediately investigate anything that may be related to PREA until evidence supports that it does not meet the definition of PREA.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Interviews Investigative staff · Review of investigations using preponderance of evidence (administrative) · Training curriculum SAIT <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>the level of evidence required to prove sexual abuse or sexual harassment shall be by a preponderance of the evidence.</i></p> <p>The interview with the investigator confirmed this, review of the investigations supported this standard of evidence. Review of the training curriculum supports that a preponderance of evidence is used to determine when an allegation is substantiated, unsubstantiated or unfounded.</p> <p>Summary of evidence to support a finding of compliance:</p> <p>Policy reflects compliance with the provisions of the standards. Policy excerpts noted above as well as review of the investigations and interviews with the investigators support compliance with this standard.</p>

115.73	Reporting to inmates
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Notification regarding sexual harassment allegation · Interview Superintendent · Interviews with Investigative staff <p>The PAQ indicates that there were zero investigations conducted alleging sexual abuse in the twelve-month review period, therefore zero notifications were provided. No investigations were completed by an outside agency. Notifications were provided for one investigation regarding sexual harassment.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states,</p> <p><i>When the investigation is completed to the extent appropriate, the person filing the complaint and the person alleged to have committed the inappropriate conduct shall be informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. Notification shall be documented.</i></p> <p><i>Following an inmates allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever;</i></p> <p><i>The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or</i></p> <p><i>The agency learns that the alleged abuser has been convicted on a charge related to sexual Abuse within the facility; and</i></p> <p><i>All such notifications or attempted notifications shall be documented.</i></p> <p><i>Following an inmate allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate whenever;</i></p> <p><i>The staff member is no longer posted within the inmates unit;</i></p> <p><i>The staff member is no longer employed at the facility</i></p> <p><i>The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or</i></p> <p><i>The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility; and</i></p> <p><i>All such notifications or attempted notifications shall be documented.</i></p> <p><i>In the event the inmate is released from custody, the Sheriff's Office will no longer be under obligation to report to the inmate the status of the allegation.</i></p> <p>The interview with the investigator support that this is the obligation of the investigator to complete the notification. He indicated that practice is to complete them for all allegations, notifications are sent to both the alleged perpetrator and person who made the allegation, as indicated in policy. The interview with the Superintendent confirmed that this is completed, as required by policy.</p> <p>Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. Policy excerpts demonstrate compliance with the requirements. The attachments ensure that the requirements are reflected in the notification. The interview with the investigator and observations of the notices provided sufficient evidence to support a finding of compliance.</p>

115.76	Disciplinary sanctions for staff
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1286 300">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="242 329 1299 584" style="list-style-type: none"> <li data-bbox="242 329 1299 358">· 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) <li data-bbox="242 387 440 416">· Observations <li data-bbox="242 445 355 474">· PAQ <li data-bbox="242 504 555 533">· Interview with the Sheriff <li data-bbox="242 562 643 591">· Interview with the Superintendent <p data-bbox="242 618 1442 678">The PAQ indicates that no staff have been terminated, nor referred to licensing bodies for violating agency sexual abuse and/or sexual harassment policy. The auditor found no reason to dispute this during the audit process.</p> <p data-bbox="242 705 1485 869"><i>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, DISCIPLINARY All intentional acts of sexually abusive behavior, sexual harassment, or intimacy between an inmate and a Sheriff's Office employee, contractor or volunteer, or between an inmate and another inmate regardless of consensual status, are prohibited and the perpetrator shall be subject to administrative and criminal and/or disciplinary sanctions up to and including termination.</i></p> <p data-bbox="242 896 1433 994"><i>Disciplinary sanctions for violation of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.</i></p> <p data-bbox="242 1021 1254 1050"><i>Termination shall be the presumptive disciplinary sanction for staff who has engaged in sexual abuse.</i></p> <p data-bbox="242 1077 1485 1176"><i>All terminations for violations of agency sexual abuse or sexual harassment policies or resignations by staff who was to have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</i></p> <p data-bbox="242 1202 1485 1301">(a) (b) (c) (d) Dialogue with the Superintendent, investigators, and PREA Coordinator support that all allegations against staff for sexual abuse, sexual harassment, retaliation or neglect are investigated and disciplinary action would be commensurate with the circumstances up to termination for sexual abuse.</p> <p data-bbox="242 1328 1442 1357">Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards.</p> <p data-bbox="242 1361 1477 1460">The PAQ notes that no staff have been terminated for sexual abuse or sexual harassment towards an inmate in the past 12 months. The auditor found no evidence to dispute this during the audit process. This conclusion was additionally based on formal interviews with staff. Interviews with the Sheriff and Superintendent support that these requirements will be followed.</p>

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 453 237">Auditor Discussion</p> <p data-bbox="242 271 1286 297">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="242 329 1299 472" style="list-style-type: none"> <li data-bbox="242 329 1299 356">· 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) <li data-bbox="242 387 571 414">· Interviews Superintendent <li data-bbox="242 445 357 472">· PAQ <p data-bbox="242 504 1437 629">The PAQ notes that no contractor or volunteer has been involved in an investigation regarding sexual abuse or sexual harassment towards an inmate. The auditor found no evidence to dispute this statement during the audit process. There have been limited volunteers in the facility for the past twelve months due to precautions relating to the coronavirus pandemic.</p> <p data-bbox="242 660 1485 920"><i>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, DISCIPLINARY All intentional acts of sexually abusive behavior, sexual harassment, or intimacy between an inmate and a Sheriff's Office employee, contractor or volunteer, or between an inmate and another inmate regardless of consensual status, are prohibited and the perpetrator shall be subject to administrative and criminal and/or disciplinary sanctions up to and including termination. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates in the case of any other violation of agency sexual abuse or sexual harassment policies.</i></p> <p data-bbox="242 952 1485 1113">Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. Policy excerpts quoted above meet the requirements of the standard. The PAQ notes that no volunteers or contractors have been terminated for sexual abuse or sexual harassment towards an inmate in the past 12 months. The auditor found no evidence to dispute this during the audit process. Interviews with the Superintendent supported that these requirements will be followed.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:

- 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA)
- 511.01 Disciplinary Actions
- Code of Offenses
- Observations
- Interviews Superintendent
- Interview with the Disciplinary Officer
- Interview with the Mental Health Director
- Inmate Handbook
- PAQ

The PAQ indicates there have been no administrative findings or criminal findings of inmate-on-inmate sexual abuse. The auditor found no reason to dispute this during the audit process.

300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, *DISCIPLINARY All intentional acts of sexually abusive behavior, sexual harassment, or intimacy between an inmate and a Sheriff's Office employee, contractor or volunteer, or between an inmate and another inmate regardless of consensual status, are prohibited and the perpetrator shall be subject to administrative and criminal and/or disciplinary sanctions up to and including termination.*

511.01 Disciplinary Actions reviews minor offenses, major offenses, sanctions commensurate with them, and specifies a formal disciplinary process. It indicates that the inmate will have a mental health evaluation before sanctioned to restriction to cell or placement in Restrictive Housing. The Code of Offenses includes Engaging in unauthorized sexual acts.

The Inmate Handbook provides information on disciplinary violations, offenses, informal/formal proceedings for minor offense, formal proceedings for major offenses and the sanctioning schedule.

Disciplinary violations relating to sexual abuse or harassment include the following:

Fighting with, assaulting, or threatening another inmate with any offense against person or property

Obscene /abusive / threatening language.

Engaging in unauthorized sexual acts.

Indecent exposure

Spitting, throwing of objects, materials, liquids, bodily excretions at another.

The Inmate Handbook and policy support that formal discipline will be conducted if there is a substantiated allegation of sexual abuse or sexual harassment on another inmate. The interview with the Disciplinary Officer and Superintendent confirmed to the auditor that sanctions would be commensurate with the nature and circumstances of the offense. The interview with the Disciplinary Officer and the Mental Health Director confirmed that an inmate's mental status would be reviewed prior to determining disciplinary sanctions. The interview with the Mental Health Director confirms that her staff could work with an individual individually to address these issues, if he or she was willing. It would not be a requirement for release. The interview with the Disciplinary Officer confirmed that an inmate would not be sanctioned for sexual contact with a staff unless the staff member did not consent to the contact.

Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards.

The interview with the Superintendent supported those sanctions are proportionate to the nature and circumstance and mental disability/illness is considered when determining sanctions in accordance with policy. The interview with the Mental Health Director supports that the inmate will be referred for appropriate counseling if found guilty of a sexual misconduct. The interview with the Disciplinary Officer confirmed compliance with provisions (b), (c) and (e). Based on analysis of the evidence, the auditor finds the facility to be compliant with the requirements of this standard.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · 605.01 Inmate Medical Records · Observations of the intake process · Interviews Inmates who disclose sexual victimization at risk screening · Interview Staff Responsible for risk screening · Interview Medical and mental health staff · Document's showing limited information to custody staff · PAQ · Risk Assessment, Referral and Follow up to Referral pre audit docs <p>The PAQ indicates that 100% of inmates who disclosed prior victimization during screening who were offered a follow up meeting with medical/mental health practitioner.</p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Inmates at risk or who have a history of inmate sexual abuse victimization: All inmates entering BCCF and upon subsequent transfers from other institutions, shall be screened within twenty four (24) hours by a qualified medical professional for a history of and the risk for sexual abuse victimization in accordance with Policy 602.02, Admission Medical Screening/Health Appraisal & Examinations/Access to Health Services and within 72 hours by Intake Officers and/or Classification staff using the PREA Screening Instrument. Inmates identified through the PREA Screening Instrument, self-reports, medical reports or other criminal record information as having a history of sexual abuse victimization or of being a victim of inmate sexual abuse shall be referred to a mental health clinician for assessment, monitoring, and counseling for follow-up within 14 days of intake. Documentation will be made in the CorEMR chart notes. Medical and Mental Health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting. The Facility Shift Supervisor shall be notified to ensure that appropriate steps (e.g., investigation, housing assignment) are taken.</i></p> <p>(a)(b) This is not applicable to this facility as it is a jail.</p> <p>(c) The auditor reviewed the intake process with staff who conduct the risk assessment. The risk assessment is conducted at intake along with medical and mental health staff who also conduct an intake both inquire about prior sexual victimization. Referrals are made automatically by medical staff to mental health during this process. The auditor was shown the room in intake where the risk assessment is conducted. It is individual and private. Inmate interviews confirmed to the auditor that this is where the intake screen is conducted. The auditor requested randomly (one per month, first to arrive) risk assessments and any corresponding mental health evaluations conducted as a result of a referral from the intake process. One known victim was identified; documentation of the mental health referral was provided.</p> <p>(d) 605.01 Inmate Medical Records requires that only persons who need access to medical information shall have access to include the Sheriff, designee and only information necessary for the safety and health of the inmate to include classification staff as it relates to housing, program placement, security and transport. Interviews with medical and mental health staff confirmed this to the auditor.</p> <p>(e) Medical and mental health staff are trained to obtain informed consent prior to reporting information about prior sexual victimization that did not occur in an institutional setting. This was confirmed during the interviews with medical and mental health staff. A form for this process was provided to the auditor. 600.01 HealthCare/Health Services/Health Services Personnel/Emergency Health Care addresses the requirements for informed consent. An example intake screen was provided reviews consent required related to "any victimization that occurred in the community, unless I am a minor and then health staff are mandated reported regardless of location. "</p> <p>Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. Review of policy, interviews with staff, including medical and mental health staff support a finding of compliance. As all inmates are reviewed by medical and mental health staff, the notation of prior victimization will be addressed at the initial</p>

intake encounter. Inmates wanting to receive further mental health assistance are placed on the caseload, assessed and provided treatment according to their needs. Medical and mental health staff confirmed they obtain informed consent by having the inmate sign a form at intake specifically notifying that making a referral outside the agency related to prior victimization requires consent unless under the age of 18 years. As indicated, this information is reaffirmed in the specialized training for medical and mental health staff.

115.82	Access to emergency medical and mental health services
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations made during the tour · Interviews Health Services Administrator · Facility Coordinated Response Plan <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Medical Response to Sexually Abusive Behavior Complaints: A qualified health care professional shall evaluate the extent of the physical injury and provide medical treatment as needed. Appropriate agency notifications shall be made if the victim is an elderly or vulnerable individual. An emergency mental health referral to the on-site mental health professional shall be made following the completion of the medical evaluation. Both medical and mental health services shall be consistent with the community level of care. Upon completion of the medical and mental health evaluation, the Superintendent or their designee in consultation with medical and/or Mental Health personnel shall determine whether a referral to an outside hospital with a rape crisis unit is warranted. Factors to be considered are the time frame between the alleged assault and the complaint, as well as the extent and nature of the allegation.</i></p> <p><i>If the determination is made that the inmate victim should be sent to an outside hospital and if the inmate victim consents, the inmate victim shall be transported to an outside hospital with a SANE program where they shall receive essential medical intervention to include preventative treatment for HIV, sexually transmitted diseases and pregnancy if appropriate. If pregnancy results from the described sexually abusive behavior, the victim will receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services. The guidelines for referring an inmate to an outside hospital for rape crisis intervention services shall be found in BCSO Policy 326.01, Outside Hospital Security.</i></p> <p><i>Upon return from the outside hospital the inmate victim shall be seen by a medical staff member for appropriate follow-up care to include a Mental Health Screening by qualified health care personnel. If during this screening there are any indications that the inmate victim is at risk to hurt themselves or others, a Mental Health professional shall be immediately notified. Otherwise, the inmate victim shall be seen by a Mental Health professional no later than the next business day to assess the need for crisis intervention and long-term counseling pursuant to BCSO Policy 608.01, Suicide Prevention/Protocol.</i></p> <p><i>Provisions shall be made for testing for sexually transmitted diseases (e.g., HIV, gonorrhea, hepatitis) and pregnancy as well as for prophylactic treatment, follow-up care and counseling pursuant to BCSO Policy 606.02, Communicable Disease and Infection Control Program.</i></p> <p><i>Once cleared by the medical and mental health staff, the Classification Supervisor shall determine an appropriate housing assignment for the inmate victim by the next business day. Treatment services including forensic medical exams are offered without financial cost to the victim.</i></p> <p>(a) (b) It was reported that medical staff are on duty 24 hours a day, seven days a week. The auditor found this credible. Policy requires that they be immediately notified if a report of sexual abuse is made. No inmate victim of sexual abuse required emergency medical treatment, all inmates involved are evaluated by the medical staff, regardless of the details of the incident.</p> <p>(c) Policy supports the requirement of the standard. There was no reported incident that warranted post sexual abuse treatment in the previous 12 months as reported by the facility. The auditor found this information credible. The interview with the Health Services Administrator additionally confirmed this.</p> <p>(d) Policy and the interview with the Health Services Administrator and Mental Health Director confirmed that treatment would be free and not based on whether the alleged victim cooperates with the investigation.</p> <p>Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. There was no reported incident that warranted post sexual abuse treatment in the previous 12 months as reported by the facility. The auditor found this information credible. The interview with the Health Services Administrator confirmed that the provisions, included in the policy would occur. Therefore, the auditor found there is sufficient evidence to support a finding of compliance.</p>

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations made during the tour · Interviews Medical and mental health staff <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states,</p> <p><i>Medical Response to Sexually Abusive Behavior Complaints:</i></p> <p><i>Upon return from the outside hospital the inmate victim shall be seen by a medical staff member for appropriate follow-up care to include a Mental Health Screening by qualified health care personnel. If during this screening there are any indications that the inmate victim is at risk to hurt themselves or others, a Mental Health professional shall be immediately notified. Otherwise, the inmate victim shall be seen by a Mental Health professional no later than the next business day to assess the need for crisis intervention and long-term counseling pursuant to BCSO Policy 608.01, Suicide Prevention/Protocol.</i></p> <p><i>Provisions shall be made for testing for sexually transmitted diseases (e.g., HIV, gonorrhea, hepatitis) and pregnancy as well as for prophylactic treatment, follow-up care and counseling pursuant to BCSO Policy 606.02, Communicable Disease and Infection Control Program.</i></p> <p><i>Once cleared by the medical and mental health staff, the Classification Supervisor shall determine an appropriate housing assignment for the inmate victim by the next business day.</i></p> <p><i>A victim advocate will be assigned to meet with the inmate. Inmate victims of sexual abuse shall be offered referrals for continued care even when the inmate is no longer incarcerated in the facility.</i></p> <p><i>Treatment services including forensic medical exams are offered without financial cost to the victim.</i></p> <p><i>Both medical and mental health services shall be consistent with the community level of care.</i></p> <p><i>If the determination is made that the inmate victim should be sent to an outside hospital and if the inmate victim consents, the inmate victim shall be transported to an outside hospital with a SANE program where they shall receive essential medical intervention to include preventative treatment for HIV, sexually transmitted diseases and pregnancy if appropriate. If pregnancy results from the described sexually abusive behavior, the victim will receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services.</i></p> <p>(a) (b) (c) (d) Policy supports the requirement of the standard. There were no reported incidents that warranted post sexual abuse treatment in the previous 12 months as reported by the facility. The auditor found this information credible. The interview with the Health Service Administrator confirmed that the evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody occur. If being transferred to a facility, a summary, including this information would accompany the inmate. If not being transferred to another facility, treatment and follow up services would be arranged along with other medical needs during discharge planning. All of those operations would have access to the electronic medical record. She additionally confirmed that services would be consistent with community level of care, and according to their medical judgment.</p> <p>(f) (g) Policy and interview with the Health Service Administrator confirm that the inmate would not be charged for these services, Testing and treatment for sexually transmitted infections may begin at the hospital or at the facility. Either way, this treatment would be provided.</p> <p>(h) This is not applicable to this facility as it is a jail.</p> <p>Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. There was no reported incident that warranted post sexual abuse treatment in the previous 12 months as reported by the facility. The auditor found this information credible. The interviews with the Medical Administrator and Mental Health Director provided additional evidence to support a finding of compliance with the standard.</p>

115.86	Sexual abuse incident reviews
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Interview with members of the Sexual Abuse Incident Review Team · Interview with the Superintendent <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, CRITICAL INCIDENT REVIEW BOARD</p> <p><i>A sexual abuse incident review shall be conducted at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. This review shall ordinarily occur within 30 days of the conclusion of the investigation.</i></p> <p><i>The review team shall include upper-level management officials with input from line supervisors, investigators and medical or mental health practitioners.</i></p> <p><i>The review team shall:</i></p> <p><i>Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;</i></p> <p><i>Consider whether the incident or allegation was motivated by race, ethnicity, sexual gender, identity biases, status or perceived status or gang affiliation; or was motivated/otherwise caused by other group dynamics at the facility.</i></p> <p><i>Examine the area in the facility where the alleged incident occurred to assess whether physical barriers in the area of the alleged incident occurred may have enabled abuse,</i></p> <p><i>Assess the adequacy of staffing levels in that area during different shifts;</i></p> <p><i>Assess whether monitoring technology should be deployed or improved to assist staff supervision;</i></p> <p><i>Prepare a report of its findings not necessarily limited to determinations made with above considerations and any recommendations for improvement. The report will be submitted to the Superintendent and PREA Compliance Manager.</i></p> <p><i>The facility shall implement the recommendations for improvement or shall document its reason for not doing so.</i></p> <p>(a) (b) (c) (d) (e) Interviews with members of the review team (investigator, and the PREA Coordinator) confirmed that the requirements of the standard are all considered when conducting the review. No investigation during the previous 12-month review period requested a sexual abuse incident review.</p> <p>Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. The interview with members of the incident review team confirmed that the provisions would be reviewed and addressed. The auditor suggested that the facility develop a form to ensure the provisions are addressed and documented.</p>

115.87	Data collection
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Interview with the PREA Coordinator · Interview with the Superintendent <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Documentation of all incidents of sexually abusive behavior is critical to the success of the Sheriff's Office's PREA initiative. All incidents of this nature shall be documented in a timely and accurate manner by referencing specific definitions consistent with those found in the PREA policy and disciplinary charges found in BCSO Policy 511.01, Disciplinary Actions-Inmates.</i></p> <p><i>The Sheriff's Office shall collect accurate, uniform data from every allegation of sexual abuse and will review aggregated data on these allegations at least annually in order to assess the effectiveness of policies, procedures and training in combating sexual abuse, including:</i></p> <p><i>Identification of problem areas</i></p> <p><i>Taking corrective action on an ongoing basis</i></p> <p><i>Preparing an annual report of its findings and corrective action for the facility as well as the agency as a whole.</i></p> <p><i>The annual report shall include:</i></p> <p><i>comparison of current years data and prior years and shall provide an assessment of the agency's progress in addressing sexual abuse</i></p> <p><i>a review and approval by signature from the Sheriff or his/her designee</i></p> <p><i>be made readily available to the public through the BCSO website</i></p> <p><i>safety and security of the facility shall be maintained through redaction of specific sensitive material, although the nature of the material shall be evident in the report.</i></p> <p><i>Other sources may be queried to develop intelligence information which may become useful to prevent sexually abusive behavior. These may include but not be limited to inmate correspondence, inmate grievances and institution climate reports.</i></p> <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) includes the following:</p> <p>DEFINITIONS:</p> <p><i>Allegation: Any event that has been reported to a Sheriff's Office staff person, contractor or volunteer, but which not yet has been verified or investigated.</i></p> <p><i>At Risk: Inmates who exhibit characteristics consistent with potential victims or perpetrators of sexually abusive behavior. The Sheriff's Office is committed to working with the National Institution of Corrections and other outside agencies to develop tools to increase the likelihood of identifying potential victims and perpetrators.</i></p> <p><i>Critical Incident Review Board: A multi-disciplinary panel of senior managers who routinely meet to review major incidents that occur inside the BCCF and the Sheriff's Office.</i></p> <p><i>Employee: Any employee, contractor, intern or volunteer of the Sheriff's Office.</i></p> <p><i>Exigent Circumstances: Any emergency situation requiring immediate action.</i></p> <p><i>Gender Expression: A person's expression of his/her gender identity including appearance, dress, mannerisms, speech and social interactions.</i></p> <p><i>Gender Identity: A person's internal, deeply felt sense of being male/female, regardless of the person's sex at birth.</i></p> <p><i>Gender Nonconforming: A person whose gender identity and/or expression do not conform to gender stereotypes generally associated with his or her biological sex.</i></p>

Intersex: A condition usually present at birth that involves reproductive, genetic, or sexual anatomy that does not seem to fit the typical definitions of male and female.

Intimacy: Any behavior not defined as sexual contact or sexual abuse of an inmate including kissing, touching parts of the body or any other related acts including, but not limited to, sending and/or receiving letters/cards/gifts or receiving phone calls from an inmate that are not defined under sexual abuse. Intimate relationships between staff and inmates are expressly prohibited.

LGBTI Population: Acronym for lesbian, gay, bi-sexual, transgender and intersex inmates.

Massachusetts Staff Sexual Misconduct Law: MGL c 268 § 21A – This law removes the ability of an inmate in any correctional institution to consent to engage in sexual relations with any Sheriff's Office employee, contractor or volunteer. Violation of this statute is a felony with a term of imprisonment of up to five years or a fine of up to \$10,000.00. Violation of this law constitutes rape and/or sexual assault.

Offender Fraternalization: Prohibited activities with offenders and ex-offenders. Engaging in any non-professional association, contact, or personal relationship with offenders, ex-offenders, or members of their families, which compromises the employee's ability to effectively discharge their professional duties. Exceptions include family members and previously established relationships.

Physical Assault: Any action taken by an individual which is deemed as causing injury or potential injury to another individual. Any deliberate contact, either physical via an object or through bodily fluids, perpetrated by one individual toward another.

PREA: Prison Rape Elimination Act: Federal legislation (Public Law No. 108-79), enacted in 2003 to provide for the analysis of the incidence and effects of prison rape in federal, state and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape.

PREA COORDINATOR: A person assigned/appointed by the Sheriff who coordinates the BCSO's compliance with the Department of Justice's (DOJ) Rule on the National Standards to prevent, detect and respond to prison rape pursuant to the Prison Rape Elimination Act of 2003 (PREA).

PREA Task Force: A committee appointed by the Sheriff to provide ongoing advice and counsel.

Rape: The penetration, no matter how slight of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

SANE (Sexual Assault Nurse Examiner) Program: Delivers coordinated expert forensic and medical care necessary to increase successful prosecution of sex offenders and to assure essential medical intervention to victims of assault who are examined at SANE designated emergency hospital.

Sexual Abuse: Shall include but not be limited to the subjecting of another person who is incapable of giving consent by reason of their custodial status to sexual contact by persuasion, inducement, enticement or forcible compulsion.

Sexual Contact: Shall include but not be limited to carnal knowledge, sodomy, sexual assault with an object or sexual fondling or molestation of a person. It does not matter whether or not it is against their will, rape, or otherwise sexually exploiting another person, e.g. compelling them to perform acts of prostitution.

Sexual Harassment: Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Sexually Abusive Behavior: The term used in this policy to describe all prohibited sexual behavior. Sexually abusive behavior includes acts of intimacy, sexual contact, sexual abuse and staff sexual misconduct as defined in this policy. However, an activity that is not coerced shall not be deemed to constitute sexual abuse.

Sexual Assault Investigator: Sheriff's Office employee assigned by the Superintendent and/or Assistant Superintendent to investigate allegations of sexually abusive behavior.

Staff Sexual Misconduct: Any verbal, physical or offensive conduct of a sexual nature by a Sheriff's Office employee, contractor or volunteer directed toward an inmate under the care, custody and supervision of the Sheriff's Office. Prohibited sexual acts include but are not limited to an attempt, threat, request or the completed act of the intentional act of touching of the genitalia, anus, groin, breast, inner thigh, or buttocks, either directly or through clothing, with the intent to abuse, arouse, or gratify sexual desire or occurrences of indecent exposure, invasion of privacy or staff voyeurism for sexual gratification.

Sexual advances, requests for sexual favors or other verbal, physical or offensive conduct of a sexual nature are also expressly prohibited. Examples of sexual harassment include but are not limited to demeaning references to an inmate's gender, derogatory comments about an inmate's body or clothing, jokes about sex or gender specific traits, abusive, threatening, profane or degrading sexual comments, touching, attention or conduct of a sexual nature or threats of retaliation for refusing sexual advances. All sexual contact between an inmate and employee, contractor or volunteer is considered sexual misconduct even if the inmate seemingly "consents" because inmates are deemed incapable of "consent".

Standard of Proof: The level of evidence required to prove sexual abuse shall be by a preponderance of the evidence.

Transgender: A term describing persons whose gender identity and/or expression do not conform to the gender roles assigned to them at birth.

Victim Advocate: The staff member(s) assigned by the Superintendent to meet with inmates victimized by sexually abusive behavior in order to educate them as to the treatment services available to them and to inform them as to the status of the investigation, disciplinary and classification processes pertaining to the alleged claim of sexually abusive behavior.

The interview with the PREA Coordinator confirmed that he has not received a request for the Survey on Sexual Victimization from the DOJ. Definitions noted in policy are standardized and can provide necessary guidelines to complete the Survey of Sexual Violence conducted by the DOJ. This facility does not use a private facility for the confinement of its inmates. He states he collects data from investigations, risk assessments and incident reviews. Annual reports are compiled and are available on the agency website since 2016.

Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards.

The interview with the PREA Coordinator confirms compliance in addition to review of the annual reports. The auditor finds there is sufficient evidence to support a finding of compliance.

115.88	Data review for corrective action
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1286 300">The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul data-bbox="242 329 1299 645" style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · Observations · Interview with the Special Sheriff · Interview PREA Coordinator · Link to website · Prison Rape Elimination Act Annual Report <p data-bbox="242 674 1493 801">300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Documentation of all incidents of sexually abusive behavior is critical to the success of the Sheriff's Office's PREA initiative. All incidents of this nature shall be documented in a timely and accurate manner by referencing specific definitions consistent with those found in the PREA policy and disciplinary charges found in BCSO Policy 511.01, Disciplinary Actions-Inmates.</i></p> <p data-bbox="242 831 560 860"><i>The annual report shall include:</i></p> <p data-bbox="242 889 1458 949"><i>comparison of current years data and prior years and shall provide an assessment of the agency's progress in addressing sexual abuse</i></p> <p data-bbox="242 978 951 1008"><i>a review and approval by signature from the Sheriff or his/her designee</i></p> <p data-bbox="242 1037 900 1066"><i>be made readily available to the public through the BCSO website</i></p> <p data-bbox="242 1095 1469 1155"><i>safety and security of the facility shall be maintained through redaction of specific sensitive material, although the nature of the material shall be evident in the report.</i></p> <p data-bbox="242 1184 1484 1245"><i>Other sources may be queried to develop intelligence information which may become useful to prevent sexually abusive behavior. These may include but not be limited to inmate correspondence, inmate grievances and institution climate reports.</i></p> <p data-bbox="242 1274 1493 1402">(a) (c)The interview with the Special Sheriff confirmed that incident based sexual abuse data is used to assess and improve prevention, detection and response policies. He confirmed that he or the Sheriff do approve the reports. Review of the Annual Report for 2021 reflects the Superintendent's signature. It is also available of the facility website. Review of the report indicated that no redactions were required.</p> <p data-bbox="242 1431 836 1460">(b) Review of the Annual report demonstrated the following:</p> <ul data-bbox="242 1489 1469 1783" style="list-style-type: none"> · Analysis of the current year to include population numbers, total incidents to include reports related to other facilities, category of allegations, findings of the incident · Review of retaliation · Review of incident reviews and the PREA review committee · Comparison to the previous year · Statistics/breakdown of type of allegations <p data-bbox="242 1812 1445 1841">Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards.</p> <p data-bbox="242 1848 1458 1939">The annual report is located on the website. Assessment of comparisons reveal little information affirming that allegations are low, supporting that staff excel at prevention in the facility. The interview with the Special Sheriff supports the process and use of the information. The report compares statistics from 2020 to 2021.</p>

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed, gathered, analyzed and/or retained the following evidence related to this standard:</p> <ul style="list-style-type: none"> · 300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) · 400.01 Information Systems Guidelines · Interviews PREA Coordinator · Documentation that it is on the website · Historical data since 2015 <p>300.02 Sexually Abusive Behavior Prevention and Intervention/Prison Rape Elimination Act (PREA) states, <i>Documentation of all incidents of sexually abusive behavior is critical to the success of the Sheriff's Office's PREA initiative. All incidents of this nature shall be documented in a timely and accurate manner by referencing specific definitions consistent with those found in the PREA policy and disciplinary charges found in BCSO Policy 511.01, Disciplinary Actions-Inmates.</i></p> <p><i>The Sheriff's Office shall collect accurate, uniform data from every allegation of sexual abuse and will review aggregated data on these allegations at least annually in order to assess the effectiveness of policies, procedures and training in combating sexual abuse, including:</i></p> <p><i>Identification of problem areas</i></p> <p><i>Taking corrective action on an ongoing basis</i></p> <p><i>Preparing an annual report of its findings and corrective action for the facility as well as the agency as a whole.</i></p> <p><i>The annual report shall include: comparison of current years data and prior years and shall provide an assessment of the agency's progress in addressing sexual abuse; a review and approval by signature from the Sheriff or his/her designee; be made readily available to the public through the BCSO website safety and security of the facility shall be maintained through redaction of specific sensitive material, although the nature of the material shall be evident in the report. Other sources may be queried to develop intelligence information which may become useful to prevent sexually abusive behavior. These may include but not be limited to inmate correspondence, inmate grievances and institution climate reports.</i></p> <p><i>CASE RECORDS All case records associated with claims of abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment and/or counseling are retained for 10 years or five years after the length of incarceration, whichever is greater.</i></p> <p>(a) Policy requires that data is securely retained. The auditor confirmed that information is retained electronically and is secure via control of access. 400.01 Information Systems Guidelines specifies how information is retained for the agency.</p> <p>(b) The annual report is available at PREA – Barnstable County Sheriff's Office (bsheriff.net). The agency does not use private agencies. The Annual reports are available on the website for 2016, 2017, 2018, 2019, 2020 and 2021.</p> <p>(c) Policy requires that all files related to PREA information/statistics are retained for at least ten years. It has not been ten years since the initiation of compliance with this law. No personal identifiers are included in the annual report.</p> <p>Summary of evidence to support a finding of compliance: Policy reflects compliance with the provisions of the standards. The interview with the PREA Coordinator supports that data is securely maintained and will be maintained for the required 10 years. In addition, data is available on the website for the years 2016, 2017, 2018, 2019, 2020 and 2021. Based on the above, the auditor finds this standard to be in compliance.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	All evidence relied upon is noted in the narrative section for each standard and the post audit report, to include corrective action and actions taken to become compliant.

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The Final Report for 2019 is available for review on the Agency website.

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

115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

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

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

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

115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes

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

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

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

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

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

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

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

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

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	na
	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.)	na
	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.)	na
115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no
115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

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

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

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

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

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

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

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

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

115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	na
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	na
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na
115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

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

115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

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