

# PREA Facility Audit Report: Final

**Name of Facility:** Cass County Jail

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 06/21/2023

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Alton Baskerville	<b>Date of Signature:</b> 06/21/ 2023

AUDITOR INFORMATION	
<b>Auditor name:</b>	Baskerville, Alton
<b>Email:</b>	alton.abm@preaauditors.com
<b>Start Date of On-Site Audit:</b>	05/09/2023
<b>End Date of On-Site Audit:</b>	05/11/2023

FACILITY INFORMATION	
<b>Facility name:</b>	Cass County Jail
<b>Facility physical address:</b>	450 34th Street S, Fargo, North Dakota - 58103
<b>Facility mailing address:</b>	

<b>Primary Contact</b>	
<b>Name:</b>	Andrew Frobig
<b>Email Address:</b>	frobiga@casscountynd.gov
<b>Telephone Number:</b>	701 271 2958

<b>Warden/Jail Administrator/Sheriff/Director</b>	
<b>Name:</b>	Jesse Jahner - Sheriff
<b>Email Address:</b>	jahnerj@casscountynd.gov
<b>Telephone Number:</b>	7012415810

<b>Facility PREA Compliance Manager</b>	
<b>Name:</b>	Andrew Frobig
<b>Email Address:</b>	frobiga@casscountynd.gov
<b>Telephone Number:</b>	M: (701) 271-2958

<b>Facility Health Service Administrator On-site</b>	
<b>Name:</b>	Tanner Coppin
<b>Email Address:</b>	coppint@casscountynd.gov
<b>Telephone Number:</b>	7012712942

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	348
<b>Current population of facility:</b>	315
<b>Average daily population for the past 12 months:</b>	296
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No

<b>Which population(s) does the facility hold?</b>	Both females and males
<b>Age range of population:</b>	18-99
<b>Facility security levels/inmate custody levels:</b>	Minimum, Medium , Maximum
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	107
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	5
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	72

#### AGENCY INFORMATION

<b>Name of agency:</b>	Cass County Sheriff's Office
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	450 34th St S, Fargo, North Dakota - 58103
<b>Mailing Address:</b>	
<b>Telephone number:</b>	7012712966

#### Agency Chief Executive Officer Information:

<b>Name:</b>	Sheriff Jesse Jahner
<b>Email Address:</b>	jahnerj@casscountynd.gov
<b>Telephone Number:</b>	7012415810

#### Agency-Wide PREA Coordinator Information

<b>Name:</b>	Chad Violet	<b>Email Address:</b>	violetc@casscountynd.gov
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## Facility AUDIT FINDINGS

### Summary of Audit Findings

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

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

#### Number of standards exceeded:

0

#### Number of standards met:

45

#### Number of standards not met:

0

## POST-AUDIT REPORTING INFORMATION

### GENERAL AUDIT INFORMATION

#### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2023-05-09
2. End date of the onsite portion of the audit:	2023-05-11

#### 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:	Rape and Abuse Crisis Center of Fargo/Moorhead, ND

### AUDITED FACILITY INFORMATION

14. Designated facility capacity:	348
15. Average daily population for the past 12 months:	296
16. Number of inmate/resident/detainee housing units:	8
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

<b>36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:</b>	328
<b>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:</b>	3
<b>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:</b>	42
<b>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:</b>	0
<b>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:</b>	0
<b>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:</b>	3
<b>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:</b>	7

<p><b>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:</b></p>	<p>1</p>
<p><b>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:</b></p>	<p>0</p>
<p><b>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:</b></p>	<p>5</p>
<p><b>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:</b></p>	<p>0</p>
<p><b>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):</b></p>	<p>The facility could not track the number and characteristics of various inmate groups.</p>
<p><b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b></p>	
<p><b>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</b></p>	<p>101</p>
<p><b>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:</b></p>	<p>75</p>

<p><b>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:</b></p>	<p>14</p>
<p><b>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:</b></p>	<p>No additional comments to add.</p>
<p><b>INTERVIEWS</b></p>	
<p><b>Inmate/Resident/Detainee Interviews</b></p>	
<p><b>Random Inmate/Resident/Detainee Interviews</b></p>	
<p><b>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</b></p>	<p>14</p>
<p><b>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</b></p>	<p> <input checked="" type="checkbox"/> Age  <input checked="" type="checkbox"/> Race  <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic)  <input type="checkbox"/> Length of time in the facility  <input checked="" type="checkbox"/> Housing assignment  <input checked="" type="checkbox"/> Gender  <input type="checkbox"/> Other  <input type="checkbox"/> None </p>
<p><b>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</b></p>	<p>Inmates were selected from all housing units.</p>
<p><b>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</b></p>	<p> <input checked="" type="radio"/> Yes  <input type="radio"/> No </p>



<b>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):</b>	There were no barriers to interviewing the random or targeted inmates.
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
<b>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</b>	12
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<b>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:</b>	1
<b>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</b>	2
<b>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</b>	0

<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>I do not have additional information to add.</p>
<p><b>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>I do not have additional information to add.</p>
<p><b>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>1</p>

<p><b>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>3</p>
<p><b>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>1</p>
<p><b>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>I do not have additional information to add.</p>
<p><b>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</b></p>	<p>3</p>

<p><b>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</b></p>	<p>1</p>
<p><b>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</b></p>	<p>I do not have additional information to add.</p>
<p><b>Staff, Volunteer, and Contractor Interviews</b></p>	
<p><b>Random Staff Interviews</b></p>	
<p><b>71. Enter the total number of RANDOM STAFF who were interviewed:</b></p>	<p>12</p>
<p><b>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</b></p>	<p> <input type="checkbox"/> Length of tenure in the facility  <input checked="" type="checkbox"/> Shift assignment  <input checked="" type="checkbox"/> Work assignment  <input checked="" type="checkbox"/> Rank (or equivalent)  <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)  <input type="checkbox"/> None </p>
<p><b>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</b></p>	<p> <input checked="" type="radio"/> Yes  <input type="radio"/> No </p>
<p><b>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):</b></p>	<p>There were no barriers.</p>

### 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.

<b>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</b>	19
<b>76. Were you able to interview the Agency Head?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>78. Were you able to interview the PREA Coordinator?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>79. Were you able to interview the PREA Compliance Manager?</b>	<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)

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

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

	<input type="checkbox"/> Other
<b>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>a. Enter the total number of VOLUNTEERS who were interviewed:</b>	2
<b>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Mental health/counseling <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other
<b>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>a. Enter the total number of CONTRACTORS who were interviewed:</b>	1
<b>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input checked="" type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
<b>83. Provide any additional comments regarding selecting or interviewing specialized staff.</b>	The registered nurse was contract employee interviewed.

## SITE REVIEW AND DOCUMENTATION SAMPLING

### Site Review

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

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

Yes

No

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

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

Yes

No

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

Yes

No

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

Yes

No

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

Yes

No



<p><b>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</b></p>	<p>The auditor made announcements in each housing unit that the audit team will be randomly selecting confined persons to interview. Their cooperation would be appreciated if they were chosen.</p>
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**Documentation Sampling**

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

<p><b>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?</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
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<p><b>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</b></p>	<p>Nine random employee records were reviewed for PREA training and Refresher training, Criminal background checks and five-year background checks. Records were compliant. Nine random inmate files were reviewed for initial risk screening, follow up 30-day screening, PREA training and acknowledge. The inmate records were compliant.</p>
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**SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY**

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

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

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

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

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
<b>Inmate-on-inmate sexual harassment</b>	15	0	15	0
<b>Staff-on-inmate sexual harassment</b>	3	0	3	0
<b>Total</b>	18	0	18	0

## Sexual Abuse and Sexual Harassment Investigation Outcomes

### Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual abuse</b>	0	2	0	1
<b>Staff-on-inmate sexual abuse</b>	0	0	0	0
<b>Total</b>	0	2	0	1

### Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual harassment</b>	0	11	3	1
<b>Staff-on-inmate sexual harassment</b>	0	3	0	0
<b>Total</b>	0	14	3	1

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

**Sexual Abuse Investigation Files Selected for Review**

<b>98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:</b>	3
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<p><b>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p><b>Inmate-on-inmate sexual abuse investigation files</b></p>	
<p><b>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>3</p>
<p><b>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p><b>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p><b>Staff-on-inmate sexual abuse investigation files</b></p>	
<p><b>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>0</p>
<p><b>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>

<p><b>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p><b>Sexual Harassment Investigation Files Selected for Review</b></p>	
<p><b>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</b></p>	<p>18</p>
<p><b>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p><b>Inmate-on-inmate sexual harassment investigation files</b></p>	
<p><b>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b></p>	<p>15</p>
<p><b>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p><b>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>

<b>Staff-on-inmate sexual harassment investigation files</b>	
<b>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	3
<b>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</b>	<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)
<b>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b>	<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)
<b>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</b>	There are no additional comments.
<b>SUPPORT STAFF INFORMATION</b>	
<b>DOJ-certified PREA Auditors Support Staff</b>	
<b>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.</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No

## Non-certified Support Staff

**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.**

- Yes  
 No

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

1

## AUDITING ARRANGEMENTS AND COMPENSATION

**121. Who paid you to conduct this audit?**

- The audited facility or its parent agency
- My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)
- A third-party auditing entity (e.g., accreditation body, consulting firm)
- Other



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

<b>115.11</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Policy, Materials, Interviews and Other Evidence Reviewed</p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Jail PREA Comprehensive Plan (revised September 2019)</li> <li>• Cass County Jail Organization Chart</li> <li>• Interviews with: Jail Administrator PREA Coordinator</li> </ul> <p>Auditor Discussion:</p> <p>This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse and sexual harassment (28 CFR 115.11; NDCFR 2).</p> <p>Analysis/Reasoning:</p>

	<p><b>Policy 606- Prison Rape Elimination Act</b></p> <p>This office has zero tolerance with regard to sexual abuse and sexual harassment in this facility. This office will take appropriate affirmative measures to protect all inmates from sexual abuse and harassment, and promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment (NDCFR 90).</p> <p>The Jail Administrator shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee office efforts to comply with the PREA standards. The PREA coordinator shall review facility policies and practices and make appropriate compliance recommendations to the Jail Administrator (28 CFR 115.11).</p> <p>The Cass County Jail has a comprehensive written policy that mandates zero tolerance toward all types of sexual abuse and sexual harassment. Policy 606 clearly outlines the agency’s zero tolerance policy and identifies the agency’s approach to the prevention, detection and response to sexual assault incidents in their facility. The policy includes definitions of prohibited behaviors regarding sexual abuse and sexual harassment, that are consistent with PREA standards. The policy also outlines sanctions for those that have participated in prohibited behaviors in the facility.</p> <p>The agency has designated an agency wide PREA coordinator, who is assigned these duties along with duties in the Jail. The facility’s organizational chart was provided for review. The chart shows the PREA Coordinator’s position as a Lieutenant who reports directly to the Jail Administrator. The auditor interviewed the PREA Coordinator and confirmed that he has other responsibilities but has time to oversee the agency’s efforts to comply with the PREA standards with help and assistance from the Jail Administrator. The facility does not have a dedicated staff for this role and could benefit by having a full-time staff dedicated to PREA. The agency does not operate more than one facility.</p> <p><b>Conclusion</b></p> <p>Based on the review of policy, organization chart, interviews and analysis, the auditor finds the facility compliant with all the provisions of this Standard.</p>
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<b>115.12</b>	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass Stutsman Inmate Agreement</li> <li>• BurMor Housing Agreement</li> </ul>

- Cass County/MCCF Inmate Boarding Agreement
- Interviews with the following:

Jail Administrator

PREA Coordinator

**Auditor Discussion:**

The agency has a policy that requires all contracts for the confinement of Jail offenders include in any new contract, or contract renewal the entity's obligation to adopt and comply with Prison Rape Elimination Act standards. The policy requires contracts include a provision for contract monitoring to ensure the contractor is complying with the Prison Rape Elimination Act standards. There is a provision in the agency's policy that allows the Jail to enter into a contract with an entity that fails to comply with PREA standards only in emergency circumstances. In the event, the agency is required to document all reasonable failed attempts to find a private agency or other entity in compliance with the PREA standards.

**Analysis/Reasoning**

**Policy 606.3 - Prison Rape Elimination Act (PREA Coordinator)**

The Jail Administrator shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee office efforts to comply with the PREA standards. The PREA coordinator shall review facility policies and practices and make appropriate compliance recommendations to the Jail Administrator (28 CFR 115.11).

(e) Ensuring that any contract for the confinement of office detainees or inmates includes the requirement to adopt and comply with the PREA standards including obtaining incident-based and aggregated data, as required in 28 CFR 115.187. Any new contract or contract renewal shall provide for office contract monitoring to ensure that the contractor is complying with the PREA standards (28 CFR 115.12).

**Cass Stutsman Inmate Agreement**

Contract for Pretrial Detention or Incarceration of Adult Inmate at SCCC The parties to this contract are the Stutsman County, acting through the Stutsman County Correctional Center (SCCC) and \_\_Cass County\_\_\_\_\_, (NEIGHBOR COUNTY/CITY);

1. DEFINITIONS The term "inmate" means any individual, whether in pretrial, unsentenced, or sentenced status, as defined by the SCCC. 2. TERMS The term of this contract is for a period of Twelve (12) months, commencing on March 20, 2023, and remains in effect unless inactivated in writing by either party. 3. TERMINATION Either party may terminate this contract for any reason with written notice at least thirty (30) calendar days in advance of termination, unless an emergency situation requires the immediate relocation of NEIGHBOR COUNTY/CITY inmates. Termination does not excuse financial obligations incurred prior to the notice or during the 30- day window subsequent to drafting or delivery of the notice. 4. RENEWAL This contract will automatically renew. The SCCC will provide written notice to NEIGHBOR COUNTY/CITY of its intent to modify this contract at least thirty (30) calendar days in advance of

modification date.

The SCCC, in exchange for the compensation paid by the NEIGHBOR COUNTY/CITY under this contract, agrees to provide the following services: • The SCCC shall accept and provide for the secure custody, safekeeping, housing, subsistence and care of NEIGHBOR COUNTY/CITY inmates in accordance with all state and local laws, standards, regulations, policies and court orders applicable to the operation of the facility. The SCCC will not guarantee any inmate population under this contract.

### **Cass County MCCF Boarding Agreement**

This Inmate Boarding Agreement (" Agreement") is entered into between McKenzie County Correctional Facility acting through the Governing Authority of the McKenzie County Correctional Facility /Law Enforcement Center ("MCCF"), and CASS COUNTY. WHEREAS, North Dakota Century Code Chapter 12-44.1 authorizes the governing body of a county or city to contract for correctional facility services and use of correctional facilities;

NOW, THEREFORE, the parties agree as follows:

- 1.) Term of Agreement. This contract shall run for a period of ONGOING and shall be subject to cancellation by either of the parties hereto upon 30 days written notice to the other party hereto. No supplement, modification, or amendment of this agreement shall be binding unless executed in writing and signed by both parties. This agreement contains the entire agreement between the Parties related to the matters specified herein, and supersedes any prior oral or written statements or agreements between the parties related to such matters.
- 2.) Housing of Inmates. MCCF shall provide for the care and custody of pretrial detainees and offenders sentenced (hereinafter collectively called "inmates") from CA5.5 COUNTY. MCCF shall provide all necessary and incidental services associated with the detention of said inmates, unless excluded elsewhere in this agreement. Correction facility availability shall be determined exclusively by appropriate MCCF officials. MCCF does not guarantee any bed availability under this agreement. McKenzie County reserves the right to refuse to house any CASS COUNTY inmate for any reason without liability under this agreement
- 3.) Compensation for Boarding of Inmates. CA5.5 COUNTY will pay for the services provided by MCCF in the amount of eighty-five (85) U.S. dollars per inmate per day, or any fraction thereof, except there shall be no charge for the final day of incarceration. Notwithstanding the above there will be a minimum payment of the daily rate per inmate incarcerated. Payment for the housing of inmates and all associated expenses shall be made to MCCF within 30 days of billing.

### **BurMor Housing Agreement**

The parties to this contract are Burleigh County, acting through the Burleigh Morton County Detention Center (BMDC) and the Cass County Sheriff's Department, hereinafter referred to as Contracting Agency;

WHEREAS, BMDC and thereby Burleigh County is authorized, by law, to have charge and custody of the county jail and county prisoners or inmates; and

WHEREAS, the Contracting Agency desires to designate the BMDC as a place of

confinement for the Incarceration of one or more inmates lawfully committed to its custody; and

WHEREAS, BMDC is desirous of accepting and keeping In its custody such inmates in the BMDC for a rate of compensation and covenants mutually agreed upon by the parties hereto;

WHEREAS, North Dakota Century Code and other North Dakota law, as amended, authorizes any county to contract with any other county, city or agency to perform any government service, activity or undertaking which each Contracting Agency is authorized by law to perform; and

WHEREAS, the governing bodies of each of the parties hereto have determined to enter into this agreement as authorized and provided for by North Dakota Century Code and other North Dakota law, as amended,

NOW, THEREFORE, in consideration of the above and forgoing recitals, the payments to be made, the mutual promises and covenants herein contained, and for other good and valuable, consideration, the parties hereto agree as follows:

1. DEFINITIONS

The term "Inmate": means any individual, whether in pretrial, unsentenced, or sentenced status, as defined by the BMDC, The term "Day": One prisoner day shall be each day or portion thereof which a prisoner appears in custody on the BMDC inmate records management system, Each Contracting Agency shall be charged for each prisoner who is detained in the BMDC on a charge and/or conviction from the Contracting Agency.

2. TERMS

The term of this contract is for a period beginning on January 1st, 2022 and expiring on Dec 31, 2022. This agreement remains in effect unless terminated in writing by either party pursuant to paragraph #3 of this agreement.

3. TERMINATION

This agreement may be terminated by either party, on written notice from either party to the other party, delivered by regular mail, to the contact person identified herein, provided that termination shall become effective thirty (30) days after receipt of such notice, unless an emergency situation requires the immediate relocation of the Contracting Agency's inmates. Within said thirty (30) days the Contracting Agency agrees to remove its inmates from the BMDC. Termination does not excuse financial obligations incurred prior to the notice or during the thirty (30) day window subsequent to delivery of the notice.

**Conclusion:**

The Auditor reviewed agency policies, (3) contracts, contract renewals with the Cass Co-MCCF Boarding Agreement, Bur-Mor Housing Agreement, and Cass Stutsman Inmate Agreement. Agency contracts and renewals for the confinement of Jail offenders include the requirements of this standard and require monitoring by agency personnel. The Auditor determined the Cass County Jail meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Policy, Materials, Interviews and Other Evidence Reviewed**

- Cass County Jail Completed Pre-Audit Questionnaire (PAQ)
- Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act
- Cass County Sheriff's Office Policy 223- Staffing
- Cass County Sheriff's Office Policy 214- Administrative and Supervisory Inspections
- Post Orders
- Cass County Jail Staffing Plan
- Cass County Jail Master Schedule
- PREA Comprehensive Plan for Prevention and Response to Sexual Abuse and Sexual Harassment
- Tour of facility
- Interviews with:  
Jail Administrator  
PREA Coordinator  
Shift Supervisor  
Random staff

**Auditor Discussion:**

The Jail Administrator shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee office efforts to comply with the PREA standards. The PREA coordinator shall review facility policies and practices and make appropriate compliance recommendations to the Jail Administrator.

The purpose of this policy is to establish a comprehensive staffing plan and analysis to identify staffing needs sufficient to maintain the safety and security of the facility, staff, visitors, inmates and the public. It is the policy of the Cass County Sheriff's Office to ensure the safety, security and efficient operation of this facility by assigning custody personnel according to a detailed staffing plan that is developed and maintained in accordance with law.

**Analysis/Reasoning:**

**Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act**

(m) Implementing a protocol requiring mid-level or higher-level supervisors to conduct and document unannounced inspections to identify and deter sexual abuse and sexual harassment. The protocol shall prohibit announcing when such inspections are to occur, unless it is necessary for operational considerations (28 CFR 115.13).

**Cass County Sheriff's Office Policy 223- Staffing**

The Jail Administrator shall insure that a staffing plan conforming to the class type and size of this facility is prepared and maintained as described in the following section. The plan should detail all custody personnel assignments, including work hours and weekly schedules, and should account for holidays, vacations, training

schedules and other atypical situations. At minimum, the staffing plan will include the following:

- Facility administration and supervision
- Minimum staffing to operate essential functions for each shift and each calendar day.
- Desired staffing to operate preferred functions for each shift and each calendar day.
- Support services including medical, food services, maintenance and clerical
- Other jail-related functions such as escort and transportation of inmates

The staffing plan will determine minimum staffing levels for security operations under routine conditions, and such minimums may vary based on time of day or day of week. These minimums will be clearly disseminated to Shift Commanders via designations on Post Assignment forms. While minimum staffing levels may be adjusted as necessary, no such adjustments shall be made without the express consent of the Lieutenant or higher authority, and Post Assignment designations regarding staffing minimums may not be modified without the express consent of the Lieutenant or higher authority. All Shift Commanders are responsible to abide by and enforce staffing minimums using official, approved Post Assignment forms.

The Jail Administrator, in conjunction with the PREA Coordinator, should ensure that staffing levels are sufficient to consistently and adequately fill essential positions, as determined by the staffing plan (28 CFR 115.13). Relief factors for each classification and position should be calculated into the staffing analysis to ensure staffing levels will consistently meet requirements. Staff should be deployed in an efficient and cost-effective manner that provides for the safety and security of the staff, inmates and the public. The staffing analysis should be used to identify whether required activities are being performed competently and in compliance with current laws and office policies. If deficiencies are noted, the staffing analysis should also include recommendations regarding what corrective measures may be needed, including the following:

- (a) Operational changes
- (b) Equipment requirements
- (c) Additional training
- (d) Supervisory intervention
- (e) Additional personnel

### **Cass County Sheriff's Office Policy 214- Administrative and Supervisory Inspections**

Supervisor inspections should occur in all occupied areas of the facility on a daily basis, including weekends and holidays (NDCFR 41). Inspections should be conducted randomly and special effort should be given to tour and informally inspect the following areas:

- Inmate housing areas
- Booking and receiving areas, including holding cells
- Recreation areas
- Visiting and program areas
- Medical areas

- Vocational work areas, e.g., the kitchen, janitorial closets

### **PREA Comprehensive Plan for Prevention and Response to Sexual Abuse and Sexual Harassment**

As part of the ongoing effort to provide a sexually safe environment, the Cass County Jail maintains a staffing plan that provides for sufficient supervision of inmates, based on their assessed risk of vulnerability and risk to offend. The staffing plan takes into account the classification process and screening measures that are used to assign a security level to all inmates. The staffing plan also takes into account the specialized designations that are assigned to specific inmates in cases where certain restrictions or safety measure directives are in place. The staffing plan also takes into account variable circumstances such as time of day, lockdown schedules, and inmate programming.

The facility provided a copy of the jail's staffing plan. The document is well written and provides a view of the activities and staffing in the facility. The plan includes a review of the inmate population, the programs and activities available for inmates, the medical and mental health care available, video monitoring, physical plant and the coverage plan for staff.

The staffing plan is continuously being reviewed and modified as needed. The staffing plan mandated in this provision must take into account 11 considerations; 1) Generally accepted detention and correctional practices, 2) Any judicial findings of inadequacy, 3) Any findings of inadequacy from Federal investigative agencies, 4) Any findings of inadequacy from internal or external oversight bodies, 5) All components of the facility's physical plant (including "blindspots" or areas where staff or inmates may be isolated), 6) The composition of the inmate population, 7) The number and placement of supervisory staff, 8) Institution programs occurring on a particular shift, 9) Any applicable State or local laws, regulations, or standards, 10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse, 11). Any other relevant factors.

The overall staffing of the facility is consistent with accepted practices and standards and is based on full capacity of 348 inmates as is adequate.

Cass County Jail reported it does not deviate from the staffing plan. The facility utilizes a system for overtime that allows them to avoid deviations from the plan. The staffing plan provided was written. The review is an ongoing process to ensure staffing balance and make adjustments as needed. This is a joint effort between the Jail Administrator, PREA Coordinator and other mid-level supervisors.

Policy 214 addresses this provision. The policy is to establish both regularly scheduled and unannounced inspections of the facility's living and activity areas. During interviews with random confined persons and staff, they stated they see supervisors come in the housing units often. Supervisors interviewed indicated that rounds are performed at all times of the day and night. The facility supplied several copies of event logs, which showed various upper-level supervisors logging in PREA rounds throughout the facility.



	<p><b>Conclusion</b></p> <p>Since August 20, 2012, or last PREA audit, whichever is later, there are 270 average daily number of inmates. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of inmates on which the staffing plan was predicated is 330.</p> <p>Based on the review of policies, documentation, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.</p>
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<b>115.14</b>	<b>Youthful inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 505-Juvenile Housing</li> <li>• Booking reports with inmate's date of birth</li> <li>• Interviews with the following: Jail Administrator</li> </ul> <p><b>Auditor Discussion</b></p> <p><b>505.1 Policy</b></p> <p>No Individual under the age of eighteen shall be admitted to the Cass County Jail (NDCFR 21). Due to modifications to NDDOCR State standards, and existing federal regulations under the PREA Standards, there are no exceptions to this policy. Review of the booking report, policy and interview with the Jail Administrator, confirmed the Cass County Jail does not house Youthful Inmates.</p> <p><b>Analysis/Reasoning</b></p> <p>In the event a person is discovered to be under the age of eighteen during the intake process, the arresting officer shall be notified and is responsible to remove the individual from the facility without delay and determine appropriate disposition. If the arresting officer has already departed the facility, jail staff shall remain with the person under eighteen, separate from adult offenders, until custody is transferred back to the arresting officer.</p> <p><b>Conclusion</b></p> <p>Review of the booking report, policy and interview with the Jail Administrator, confirmed the Cass County Jail does not house Youthful Inmates.</p>

<b>115.15</b>	<b>Limits to cross-gender viewing and searches</b>
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**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Policy, Materials, Interviews and Other Evidence Reviewed**

- Cass County Jail Completed Pre-Audit Questionnaire (PAQ)
- Cass County Sheriff's Office Policy 512- Searches
- PREA training lesson plans
- Tour of facility
- Interviews with:  
Jail Administrator  
PREA Coordinator  
Random staff  
Random Confined Persons

**Auditor Discussion:**

**512.1 Purpose and Scope**

The purpose of this policy is to provide clear direction on maintaining the safety and security of the facility by conducting searches, in balance with protecting the rights afforded by the United States Constitution. The introduction of contraband, intoxicants or weapons into the Cass County Sheriff's Office facility poses a serious risk to the safety and security of staff, inmates, volunteers, contractors and the public. Any item that is not available to all inmates may be used as currency by those who possess the item and will allow those in possession of the item to have control over other inmates. Any item that may be used to disengage a lock, other electronic security devices or the physical plant itself seriously jeopardizes the safety and security of this facility. Carefully restricting the flow of contraband into the facility can only be achieved by thorough searches of inmates and their environment. Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from an inmate/arrestee. This policy addresses NDCFR 35 and NDCFR 36. See the Inmate Visitation Policy for direction regarding the search of visitors.

**Analysis/Reasoning:**

**Cass County Sheriff's Office Policy 512- Searches**

Policy 512 describes when and how searches are to be performed on inmates. This policy prohibits cross-gender strip searches and cross-gender body cavity searches of inmates. The policy also requires supervisory approval for body cavity searches, which are to be performed by medical staff only. The PAQ shows that no body cavity searches were performed in the past 12 months. During the site review, the auditor viewed the strip search room in the facility's intake area. This room has no window on the door and no camera inside. It is utilized only for strip searches following supervisor approval. Interviews with inmates confirmed that that they were never searched by a staff member of the opposite gender.

Policy 512 states, "Male staff shall not conduct cross gender pat searches except in exigent circumstances. If exigent circumstances exist and a male staff member must

conduct a cross gender pat search, it is recommended that a second witnessing staff member be present for the search. All cross-gender searches conducted by male staff shall be documented in an informational incident report. Female staff members are permitted to conduct cross gender pat searches but should only do so when a male staff member is not immediately available to conduct the search." The auditor interviewed nine female inmates, and each stated clearly that they were never searched by a male staff member or witnessed a male staff member searching a female inmate. The female housing unit is always staffed by a female officer and there is always a female on duty to perform pat-down searches as necessary to accommodate movement. Per the PAQ there were zero pat-down searches of female inmates conducted by male staff.

Policy 512 requires that that all cross-gender strip searches and cross-gender visual body cavity searches be documented. It also requires that all cross-gender pat-down searches of female inmates be documented. In the past 12 months there have been no cross-gender searches.

Policy 512 outlines the steps to take for identification of inmates who identify as transgender males and transgender females. The policy states, " Staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining genital status (see the Prison Rape Elimination Act Policy for transgender and intersex definitions). If genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional and prohibits security staff from viewing of the inmate's body in order to determine the gender of any inmate. During interviews with random staff members, the auditor asked about the strip search policy and the identification of transgender inmates. All staff members were aware of the policy regarding strip searches and identification of transgender inmates.

The facility provided the auditor a copy of the cross-gender supervision training curriculum that is provided for staff. The training identifies the need for staff members to perform pat searches using the bladed technique between and under the breasts to search for contraband. The training also requires the need to do searches in a professional and respectful manner, in the least intrusive manner possible. The auditor was provided training records for the last two years, which documents the completion of training for all staff members on the search module. During random staff interviews, all staff members stated that they had received training on performing pat searches of transgender inmates. All those interviewed stated that searches must be done professionally and respectfully. Officers stated that searches of a transgender female would normally be done by a female staff member.

**Conclusion:**

Based on the review of policies, documentation, interviews and analysis, the facility is compliant with all provisions of this Standard.

**proficient**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Policy, Materials, Interviews and Other Evidence Reviewed**

- Cass County Jail Completed Pre-Audit Questionnaire (PAQ)
- Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act
- Cass County Sheriff's Office Policy 502- Inmate Handbook and Orientation
- Cass County Sheriff's Office Policy 602- Inmate with Disabilities
- Training rosters for training on Law Enforcement and Deaf and Hard of Hearing Community
- Training rosters for training on Autism Awareness
- PREA training lesson plans
- Tour of facility
- Interviews with:  
Jail Administrator  
PREA Coordinator  
Random staff  
Confined Persons with disabilities

**Auditor Discussion:**

The agency has a policy that requires staff take appropriate steps to ensure confined persons with disabilities or limited English proficient 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. The policy requires the inclusion of those who are deaf or hard of hearing, blind or have low vision, and those who have intellectual, psychiatric, or speech disabilities.

**Analysis/Reasoning:**

**Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act**

Policy 606 states, "Ensuring that within 30 days of intake, inmates are provided with comprehensive education, either in person or through video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding the office's policies and procedures for responding to such incidents.

Policy 606 states, " Should an investigation involve inmates who have disabilities or who have limited English proficiency, the first responder shall not rely on inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise inmate safety, the performance of first responder duties or the investigation of sexual abuse or sexual harassment allegations. During the onsite phase of the audit, the auditor interviewed random staff. All staff stated that the facility does not utilize inmates to interpret for other inmates. Jail supervisors use a language app on their

cell phones when it is necessary to speak with an inmate who does not speak and understand English. It is recommended that the facility explore more options regarding interpretation services.

### **Cass County Sheriff's Office Policy 602- Inmate with Disabilities**

Policy 602 requires the Jail Administrator establishing guidelines for services, programs and activities for the disabled and ensuring that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the facility's efforts to prevent, detect and respond to sexual abuse and sexual harassment. The Jail Administrator is responsible for ensuring the Cass County Sheriff's Office jail is designed or adapted to reasonably

accommodate inmates with disabilities. At a minimum this includes:

- Access to telephones equipped with a telecommunications device for the deaf (TDD) for inmates who are deaf, are hard of hearing or have a speech impairment.
- If orientation videos are used to explain facility rules to newly admitted inmates, subtitles may be displayed on the video presentation to assist inmates who have impaired hearing.

### **Cass County Sheriff's Office Policy 502- Inmate Handbook and Orientation**

Policy 502 states, "Inmates who cannot read, are visually impaired or have intellectual, psychiatric or speech disabilities or limited reading skills, shall have materials read to them by a staff member or presented to them using audible recorded media. Inmates who are deaf or hard of hearing shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the inmate in understanding the information. The Inmate Handbook is provided in both English and Spanish. This handbook includes PREA information for inmates. The auditor was provided a list of staff members who can interpret several languages to assist inmates. During the site review, the auditor interviewed two inmates who spoke Spanish. Each of these inmates understood what PREA was and knew how to properly report an incident of sexual abuse, if needed. There were signs clearly posted in each of the housing units in English and Spanish. The auditor also interviewed disabled inmates; and each indicated PREA material was provided in a format they could understand. A video provides initial PREA education; it is available in both English and Spanish. All inmates can watch the video and hear the speaker.

The policy states that inmate education regarding PREA and orientation information is provided to inmates orally, in writing or by video, in a language clearly understood by newly arrested inmates. The policy directs staff to utilize interpreters to assist inmates that are not proficient in English, are blind or deaf, or requires other interpretation services to understand the information provided. The Inmate Handbook is provided in both English and Spanish. The Auditor spoke with two confined persons who spoke Spanish during inmate interviews. Both confined persons confirmed that all information for orientation and PREA are readily available in Spanish and are easily understood. The jail has access to certified interpreters from a local non-profit refugee resettlement organization.

### **Conclusion:**

	Based on a review of policy, documentation, interviews and analysis, the facility is compliant with all provisions of this Standard.
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<b>115.17</b>	<b>Hiring and promotion decisions</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Sheriff's Office Policy 1000- Reporting of Employee Convictions</li> <li>• Cass County Sheriff's Office PREA Handbook for Contractors, Volunteers, and Sheriff's Employees with Occasional Jail Presence</li> <li>• Cass County Sheriff's Office Policy 108- Standards of Conduct</li> <li>• Cass County Sheriff's Office Policy 305- Recruitment and Selection Process</li> <li>• Interviews with: <ul style="list-style-type: none"> <li>Jail Administrator</li> <li>PREA Coordinator</li> <li>Human Resource Manager</li> </ul> </li> </ul> <p><b>Analysis/Reasoning:</b></p> <p><b>Policy 606- Prison Rape Elimination Act</b></p> <p>Ensuring the Office conducts follow-up criminal background records checks at least once every five years on members or contractors who may have contact with inmates or has in place a system for otherwise capturing such information (28 CFR 115.17).</p> <p><b>Policy 1003 Reporting of Employee Convictions</b></p> <p>The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions, and court orders restrict their ability to perform the official duties and responsibilities of the Cass County Sheriff's Office. This policy will also describe the notification requirements and procedures that certain retired deputies must follow when an arrest, conviction, or court order disqualifies them from possessing a firearm.</p> <p><b>PREA Handbook for Contractors, Volunteers, and Sheriff's Employees with Occasional Jail Presence</b></p> <p>The agency completes a criminal background check for all individuals seeking to provide volunteer services through the chaplain's office or in the programs department.</p> <p><b>Policy 108- Standards of Conduct</b></p>

Members have a continuing affirmative duty to notify the Jail Administrator in writing if they have (28 CFR 115.17):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution as defined in 42 USC § 1997.

(b) Been convicted for an offense involving engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

(c) Been the subject of any civil or administrative adjudication finding that the member engaged in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

### **Policy 305- Recruitment and Selection Process**

#### **305.7.1 MANDATORY DISQUALIFICATION**

No members or contractors shall be hired who have (28 CFR 115.17):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 USC § 1997).

(b) Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent, or was unable to consent or refuse.

(c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

The Office shall ask all candidates who may have contact with inmates to disclose any conduct described above in written applications or interviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination. The Office shall make reasonable efforts to contact prior institutions that the candidate has been employed by to inquire about sexual abuse allegations in accordance with 28 CFR 115.17.

The agency's employment application requires that the applicant answer affirmatively regarding any prior arrests for all felony charges, specifically sexual abuse related offenses. The criminal background check will verify that this information is correct. The Agency has a very thorough and extensive process of screening applicants. All employees of the Cass County Sheriff's Office undergo an extensive background check prior to being hired. This background includes a criminal records check, a review of law enforcement records in all communities where an applicant has previously lived, and verification of past employment and education. Employees undergo a polygraph examination, a psychological evaluation, and a credit review. All applicants to the jail, as part of their initial interview, are also required to provide details about any previous work that has been done within any facility or agency that is bound by any of the PREA Standards, and must also respond to inquiries about any previous substantiated PREA complaints. Whenever an applicant provides information that they have previously worked in a capacity bound by PREA, an inquiry is made with

the previous employer(s) regarding any substantiated PREA complaints. Any dishonest responses are grounds for denial, as are any affirmative responses or discoveries of previous sexual misconduct, sexual harassment, or criminal sexual behavior.

All potential volunteers and contractors that will have inmate contact inside the secure facility must also have a completed background check performed prior to admission to the facility. During the onsite phase of the audit, the auditor met with the agency's human resources liaison. She provided the auditor with complete copies of the agency's applications and discussed the full hiring and review process. We then reviewed several staff employment records, where the auditor was able to see results for background checks and results. Each of the reviewed records contained the proper application questions and supportive documentation. The auditor confirmed through the interviews that the agency will not grant employment or approve an individual for volunteer work or as a contractor if he or she has engaged in sexual abuse in a corrections facility or been convicted of a sexual abuse related offense.

The employment application for staff members and for volunteers and contractors includes a questionnaire that specifically asks applicants if he or she was the subject of a sexual harassment allegation. During the interview with human resources, she confirmed that sexual harassment allegations are taken into consideration during the approval and hiring process for all individuals.

As discussed in provision 115.17(a) above, the agency completes a criminal background check for all individuals during the hiring process. During the interview the human resources liaison, indicated all previous employers are contacted, this includes asking prior corrections employers if the individual had a substantiated sexual abuse allegation or resigned during an investigation of sexual abuse. The auditor reviewed background checks of newly hired staff that had previously worked at correctional facilities and confirmed the questions were asked.

As discussed in provision 115.17(a) above, the agency completes a criminal background check for all individuals seeking to provide volunteer services through the chaplain's office or in the programs department. This is also true for individuals that will work as contractors in the facility that will have inmate access. During the auditor's interview with the PREA Coordinator and Program's Sergeant, background checks are completed before any individual is approved for entry into the secure facility and their name is entered on the approved list.

Policy 305 states, "The Office shall either conduct follow-up criminal background records checks at least once every five years on members or contractors who may have contact with inmates or have in place a system for otherwise capturing such information. " During the onsite phase of the audit, the auditor interviewed the human resources manager, who confirmed it is part of their procedure. The auditor reviewed documentation showing 5-year background checks are being completed.

As discussed in Provision 115.17(a) no employee can be hired or promoted without first being vetted that they have not engaged in any form of sexual abuse/ harassment while currently employed, during previous employment, or within the



community setting. It is the responsibility of the employee, contractor or volunteer to divulge inappropriate conduct upon hiring, evaluations, or promotion process. During the auditor's interview with the human resources liaison, it was confirmed the agency follows this practice. She explained that questions regarding an individual's prior employment, sexual abuse and sexual harassment allegations, and prior criminal offenses are asked during the application and oral interview process. She also confirmed that all employees are required to report any arrests or allegations of sexual harassment.

Policy 305 states, "Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination. The agency's employment application was reviewed by the auditor. The application clearly provides the applicant with the statement that all statements on the application are true and any misstatement, misrepresentation or falsification of facts shall be grounds for termination. During the interview with the human resources liaison, the auditor confirmed that the agency will terminate any employee for false information provided during the application process or omissions of fact of any information, including sexual abuse and sexual harassment.

Policy 305 states, "The Cass County Sheriff's Office will provide information on substantiated allegations of sexual abuse by former employees when another institution requests the information after the former employee is an applicant for work at that institution. During the auditor's interview with the human resources liaison, it was confirmed that the agency would, in fact, provide potential new employers with information regarding a past employee's sexual abuse and sexual harassment allegations and/or investigations.

In the past 12 months, there were 37 number of persons hired who may have contact with inmates who have had criminal background record checks. In the past 12 months, there were 2 number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates.

**Conclusion:**

Based on review of policy, practice, documentation, interviews and analysis, the facility is compliant with all provisions of this Standard.

115.18	Upgrades to facilities and technologies
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> </ul>

	<ul style="list-style-type: none"> <li>• Observation while on-site</li> <li>• Interviews with the following: Jail Administrator PREA Coordinator</li> </ul> <p><b>Analysis/Reasoning:</b></p> <p><b>Policy 606 Prison Rape Elimination Act</b></p> <p>Policy 606 states, "Ensuring that, when designing, acquiring, expanding, or modifying facilities, or when installing or updating a video-monitoring system, electronic surveillance system, or other monitoring technology, consideration is given to the office's ability to protect inmates from sexual abuse. The Agency's Booking room renovation and addition was completed since the last audit. Interviews with the Jail Administrator and the PREA Coordinator, confirmed that there were new renovations/modifications to the existing facility.</p> <p>The facility reported on the PAQ that cameras for a total of 234 were added. All cameras updated to high definition. All cameras be record.</p> <p><b>Conclusion:</b></p> <p>Based on the review of policy, observation, interviews and analysis, the auditor finds the facility in compliance with all provisions of this Standard.</p>
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<b>115.21</b>	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• MOU for Red River SART</li> <li>• Red River Sexual Assault Response Team Protocol</li> <li>• Investigative Files</li> <li>• Interviews with: PREA Coordinator Investigator</li> </ul> <p><b>Analysis/Reasoning:</b></p> <p><b>Policy 606 - Prison Rape Elimination Act</b></p> <p>If the investigation is referred to another agency for investigation, the Office shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented.</p>

Evidence collection shall be based on a uniform evidence protocol that is developmentally appropriate for youth, if applicable, and adapted from or otherwise based on the most recent edition of the DOJ'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 (28 CFR 115.21).

A victim advocate from a rape crisis center should be made available to the victim. If a rape crisis center is not available, the Office shall make available a qualified member of a community-based organization, or a qualified health care or mental health professional from the Office, to provide victim advocate services. Efforts to secure services from a rape crisis center shall be documented. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 34 USC § 12511, to sexual assault victims of all ages. A rape crisis center that is part of a government unit may be used if it is not part of the criminal justice system (such as a law enforcement agency) and it offers a level of confidentiality comparable to the level at a nongovernmental entity that provides similar victim services (28 CFR 115.21).

Examination, testing and treatment shall include the following:

(a) Forensic medical examinations shall be performed as evidentiary or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). If neither SAFEs nor SANEs are available, other qualified medical practitioners can perform the examination. The Office shall document its efforts to provide SAFEs or SANEs (28 CFR 115.21).

(b) If requested by the victim, a victim advocate, a qualified office staff member or a qualified community organization staff member shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information and referrals (28 CFR 115.21).

#### **MOU for Red River SART**

A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

As stated in the above provision, Policy 606 language regarding evidence collection is consistent with the requirement of this standard. The Red River SART protocol is also consistent with National standard.

Inmates who are victims of sexual abuse shall be transported to the nearest appropriate location for treatment of injuries and collection of evidence, and for crisis intervention services. It also stated that Forensic medical examinations shall be performed as evidentiary or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault

	<p>Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). If neither SAFEs nor SANEs are available, other qualified medical practitioners can perform the examination.</p> <p>The Office shall document its efforts to provide SAFEs or SANEs. If requested by the victim, a victim advocate shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information and referrals. During the onsite phase of the audit, the auditor interviewed the PREA Coordinator and investigator, and they confirmed that all forensic examinations for sexual abuse victims would be completed at a local hospital where a SAFE nurse was on duty or on call. In the past 12 months there have been no examinations performed for inmate victims. The auditor reviewed investigations files and there were no sexual assault allegations that required a forensic examination.</p> <p>"A victim advocate from a rape crisis center should be made available to the victim. Efforts to secure services from a rape crisis center shall be documented." The Cass County Jail has an agreement with the Rape and Abuse Crisis Center of Fargo/ Moorhead to provide victim advocate services. The auditor contacted a representative from crisis center and confirmed services are provided to inmate victims from the Cass County Jail. There have been no incidents of sexual assault that would require the use a victim advocate over the past 12 months.</p> <p>Sexual abuse allegations involving jail employee are referred to the North Dakota Bureau of Criminal Investigation. The Department follows the requirements of this provision. The agency does not utilize their own staff members to provide victim advocate services.</p> <p><b>Conclusion:</b> Based on the review of policy, documents, interviews and analysis, the auditor finds the facility compliant with all provisions of this standard.</p>
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<b>115.22</b>	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Spreadsheet tracking PREA allegations</li> <li>• Investigative Files</li> <li>• Interviews with: PREA Coordinator</li> </ul>

	<p>Investigator</p> <p><b>Analysis/Reasoning:</b></p> <p><b>Policy 606- Prison Rape Elimination Act</b></p> <p>Policy 606 states, " An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse and sexual harassment. This policy clearly outlines the agency's requirement to perform either a criminal or administrative investigation for all allegations of sexual abuse and sexual harassment. The auditor reviewed the sexual abuse and sexual harassment allegations from the past 12 months. There were 23 allegations and all were properly investigated. The auditor interviewed the Jail Administrator, investigator and PREA Coordinator. They all confirmed that the agency investigates all allegations of sexual abuse and sexual harassment. In the past 12 months, there were 0 number of allegations referred for criminal investigation.</p> <p>Policy 606 clearly outlines the agency's requirement to perform either a criminal or administrative investigation for all allegations of sexual abuse and sexual harassment. The facility's PREA policy is clearly posted on the department's website. During the onsite phase of the audit, the auditor interviewed the investigator, PREA Coordinator and the Jail Administrator. They all confirmed that the agency investigates all allegations of sexual abuse and sexual harassment.</p> <p>Policy 606 includes information if allegations are referred to an outside agency. The ND Bureau of Investigations investigate staff on inmate sexual abuse of jail employees.</p> <p><b>Conclusion:</b></p> <p>Based on the review of policy, documentation, interviews, and analysis, the auditor finds the facility in compliance with all provisions of this Standard.</p>
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<b>115.31</b>	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 309- Prison Rape Elimination Act Training PREA Lesson Plan</li> <li>• PREA training rosters</li> <li>• Signed PREA Employee Training Acknowledgements</li> <li>• Interviews with: Jail Administrator</li> </ul>

PREA Coordinator  
Training Sergeant  
Random staff

**Analysis/Reasoning:**

Policy 309 requires that all staff members who have contact with inmates receive documented training related to sexual abuse/assault awareness, prevention, response, and reporting procedures under PREA. The policy also requires staff training on sexual abuse and sexual harassment and the requirement includes the ten topics required under this standard. The training curriculum is provided through classroom instruction and online courses. Training logs provided in the PAQ were from the last two years. They show completion of the annual training related to sexual abuse and sexual harassment and the date it was completed.

During the onsite phase of the audit, the auditor interviewed 12 random staff members. Each person interviewed indicated that they received PREA education within the past 12 months. Each person interviewed confirmed training included the ten topics required under this standard. The auditor reviewed training records provided by the Training Sergeant. The auditor selected 9 random records and located written verification that employee initial and annual refresher PREA training had been completed.

The Cass County jail houses both male and female inmates. Training for staff, therefore, is consistent and there is no need to provide additional training related to a specific gender although cross gender supervision is emphasized.

The Cass County Jail had previously been audited by a certified PREA auditor in 2019. All staff that were employed in 2019 would have received the required PREA training and education at that time. The Prison Rape Elimination Act requires that staff receive annual refresher training based upon the level of contact with inmates. Training logs provided to the auditor confirm that all staff complete refresher training annually. This was confirmed by reviewed nine random training records. The auditor also viewed a complete training log for the current year. This log showed a positive indicator for training completion for all staff members. Also, each of the staff members interviewed confirmed that they received annual PREA training.

Policy 309 requires that training should include written testing to validate knowledge and understanding of the material. The Training Sergeant shall document, through signature or electronic verification, that staff, volunteers and contractors have received and understand the training. The facility utilizes a PREA Employee Training Acknowledgement form to be signed and dated by staff. While on site the audited reviewed nine acknowledgement forms which indicated staff received and understood the PREA training. Records show full completion of the training by staff.

**Conclusion**

Based on the review of policies, documents, interviews and analysis, the facility is compliant with all provisions of this Standard.

<b>115.32</b>	<b>Volunteer and contractor training</b>
	<p data-bbox="256 188 959 221"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="256 266 544 300"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="256 344 1193 378"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul data-bbox="256 389 1358 837" style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 309- Prison Rape Elimination Act Training</li> <li>• PREA Handbook for Contractors and Volunteers</li> <li>• PREA Lesson Plan</li> <li>• Interviews with:  Jail Administrator  PREA Coordinator  Training Sergeant  Program Sergeant  Random contractors  Random Volunteer</li> </ul> <p data-bbox="256 882 576 916"><b>Analysis/Reasoning:</b></p> <p data-bbox="256 949 1481 1352">Policy 309 requires that all staff, volunteers and contractors who may have contact with inmates shall receive office approved training on the prevention and detection of sexual abuse and sexual harassment. Kitchen and Medical contract staff and regular volunteers receive the same training as employees. This training includes information related to sexual abuse/assault awareness, prevention, response, and reporting procedures under PREA. During the onsite phase of the audit, the auditor interviewed one volunteers and three contractors and also reviewed training logs from the past three years. They all confirmed completion of the orientation program prior to being granted access to the secure facility. The facility maintains a list of approved volunteers and contractors.</p> <p data-bbox="256 1397 1481 1711">The auditor reviewed the training curriculum, while onsite. The curriculum includes each of the required points listed in the standard. During the onsite phase of the audit, the auditor interviewed one volunteer and three contractors. They all confirmed completion of the orientation program prior to being granted access to the secure facility. They confirmed the orientation included education on sexual abuse and sexual harassment, how to report incidents of abuse and rules to avoid physical contact with an inmate. The auditor reviewed training records of random contractors and volunteers.</p> <p data-bbox="256 1756 1465 2002">The auditor was provided with training acknowledgments for all contractors and volunteers. They showed written proof that the volunteers and contractors had completed the required orientation material, which included the PREA education and understood the information. During the onsite phase of the audit, the auditor interviewed one volunteer and three contractors. They all confirmed completion of the orientation program prior to being granted access to the secure facility.</p> <p data-bbox="256 2047 443 2080"><b>Conclusion:</b></p>

	Based on the review of policy, documents, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.
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<b>115.33</b>	<b>Inmate education</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Sheriff's Office Policy 501- Booking Procedures</li> <li>• Cass County Sheriff's Office Policy 502- Inmate Handbook and Orientation</li> <li>• Signed PREA Inmate Education Acknowledgment form</li> <li>• Observation while onsite</li> <li>• Interviews with: <ul style="list-style-type: none"> <li>PREA Coordinator</li> <li>Intake staff</li> <li>Classification staff</li> <li>Confined Persons</li> </ul> </li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 501 details the admission process which includes providing a PREA notification, screen and acknowledgment to be completed prior to general population assignment. The policy also indicates arrestees will not be placed in general population if they have not viewed the PREA educational video. If exigent circumstances do not allow for the video to be shown, housing officers receiving the new inmate must be notified so that arrangements can be made to show the video at the earliest reasonable opportunity.</p> <p>The facility provided a statement in the PAQ to confirm that all 4,493 inmates receive basic PREA information when they arrive to the facility. This happens in the intake area. During the onsite phase of the audit, the auditor observed an intake and saw the orientation playing on the television in a room in the booking area. There were signs hung in the booking area in English and Spanish, which provide inmates with the basic PREA information. The auditor interviewed two staff member who works in intake and they confirmed that all inmates are given the PREA information and watch the orientation video. The auditor interviewed 26 inmates during the onsite phase of the audit. All inmates indicated they received and understood the PREA information and how to ask for help or file a report.</p> <p>Policy 606 states, "Ensure that within 30 days of intake, inmates are provided with comprehensive education, either in person or through video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding the office's policies and procedures for</p>



responding to such incidents" There were 961 inmates admitted during the past 12 months (whose length of stay in the facility was for 30 days or more) who received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake.

Policy 501 indicates the purpose of orientation is to assist with the inmate's transition into a custody environment, the orientation will include the following topics, supplemented by a more detailed inmate handbook that will be provided to each inmate. In regard to PREA this includes the Facility's zero-tolerance policy, prevention and intervention, instruction on how inmates can avoid being victims of sexual abuse and sexual harassment through self-protection techniques, reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously, treatment and counseling for victims of sexual abuse or sexual harassment, mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state or national victim advocacy or rape crisis organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies, information regarding confidentiality, monitoring and mandatory reporting.

Inmate education is completed in multiple stages. As part of the initial intake procedures, inmates are screened for risk of vulnerability to abuse and for risk to offend. All inmates are given a copy of the Inmate Handbook, which explains the facility Zero-Tolerance Policy, the inmate rights, and all of the available reporting options. The inmate handbook provides all of the facility specific PREA information that an inmate would need to know. Inmates also watch a PREA Education video, published by the PREA Resource Center, which covers all of the general PREA education requirements. This video is typically shown to inmates prior to them being moved to their assigned housing unit. This is verified as part of the full classification interview, which typically occurs within three days of intake. Interviews with classification staff confirmed inmates receive PREA education in person, through the PREA video and in the inmate handbook.

The facility provides all inmates with education regarding PREA at intake and during orientation. The PREA coordinator stated that all inmates receive initial education at intake and then view the comprehensive PREA video and receive an inmate handbook. When inmates meet with classification staff, (usually within 2 days of arrival) they are provided additional PREA information in person and have an opportunity to ask questions about PREA. It is at this time that inmates sign a PREA Inmate Education Acknowledgement form.

Policy 501 states, "In addition to English, orientation information will be provided in the most commonly used languages for the inmate population. The Jail Administrator should consider enlisting the assistance of volunteers who are qualified and proficient in both English and the language in which they are providing translation assistance to translate the orientation information. Use of outside translation sources may also be considered. Interpretive services will be provided to inmates who do not speak English or any of the other languages in which the orientation information is available. Inmates who cannot read, are visually impaired or have intellectual,

	<p>psychiatric or speech disabilities or limited reading skills, shall have materials read to them by a staff member or presented to them using audible recorded media. Inmates who are deaf or hard of hearing shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the inmate in understanding the information. Per interviews with intake and classification staff, it was found that the facility has PREA information and the Inmate Handbook available in English and Spanish.</p> <p>During the site review, the auditor could see many forms of PREA education readily available for inmates. In all housing units there are signs posted on the bulletin board. These signs remind inmates that sexual abuse is not tolerated and provides the hotline number.</p> <p><b>Conclusion:</b></p> <p>Based on the review of policies, forms, documentation, interviews and analysis, the auditor finds the facility in compliant with all provisions of this Standard.</p>
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<b>115.34</b>	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Sheriff's Office Policy 102- Annual Review and Performance-Based Goals and Objectives</li> <li>• Cass County Sheriff's Office Policy 313 Training Plan</li> <li>• Interviews with: <ul style="list-style-type: none"> <li>PREA Coordinator</li> <li>Investigator</li> </ul> </li> </ul> <p><b>Analysis/Reason</b></p> <p>Policy 606 states, "Only investigators who have completed office-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases.</p> <p>Policy 102.4 Criteria to Measure Performance states, The following items will be used to measure and evaluate the level of success in achieving the office's stated goals:</p> <p>(a) Fiscal year budget surpluses or successful operations even with budget reductions  (b) Findings from independent financial audits (c) Inmate grievances (d) Documentation that office investigators have completed the required specialized training in conducting sexual abuse investigations (28 CFR 115.34) (e) Documented training hours received by staff (f) Completed audits of the policy and procedures</p>

	<p>manuals</p> <p>Policy 313.2 Policy states, The Training Sergeant shall conduct an annual training needs assessment to determine the training needs of all employees based upon state laws, regulations, certification requirements and continued professional training requirements. A training plan shall be based on the assessment. It is the responsibility of the Training Sergeant to develop, maintain, review and update the training plan on an annual basis. The annual training plan should be presented to the management staff for review. The approved training plan should include the annual funding requirements forecast by the Training Sergeant. The Training Sergeant shall coordinate with the budgeting office to develop a funding source for all mandatory training. The Sheriff or the authorized designee shall have final approval of the training plan and the budget to ensure that the training to be delivered is fiscally responsible and meets the mission of the Office. The Training Sergeant will execute the training plan on behalf of the Sheriff.</p> <p>Policy 313.4 Training Records states, an individual training file shall be maintained by the Training Sergeant or the authorized designee for each employee. Training files shall contain records of all training and education (original or photocopies of available certificates, transcripts, diplomas and other documentation) for all employees. The maintenance of the training records shall be in sufficient detail as to comply with any outside audit requirements (28 CFR 115.34).</p> <p>All investigators completed the NIC classes which include modules related to the four points required under this provision of the standard. The auditor confirmed through interviews with investigator that the online NIC class included information on the four points and they were able to explain the four points. The facility provided certificates indicating investigators had successfully completed the online class.</p> <p>There were 7 number of investigators currently employed who have completed the required training.</p> <p><b>Conclusion:</b> Based on the review of policies, documents, lesson plans, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.</p>
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<b>115.35</b>	<b>Specialized training: Medical and mental health care</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 309- Prison Rape Elimination Act Training</li> <li>• PREA Handbook for Contractors, Volunteers, and Sheriff's Employees with Occasional Jail Presence</li> </ul>

- PREA On-line Training Site: Directions on how to complete the training for Medical and Mental Health Staff
- Signed PREA Employee Training Acknowledgements
- Interviews with:  
PREA Coordinator  
Medical staff

**Analysis/Reasoning:**

Policy 309 states, "All full- and part-time qualified health care and mental health professionals who work regularly in the facility shall receive all of the member training listed above, as well as training that includes: a) Detecting and assessing signs of sexual abuse and sexual harassment, (b) Preserving physical evidence of sexual abuse, (c) Responding effectively and professionally to victims of sexual abuse and sexual harassment, and (d) Reporting allegations or suspicions of sexual abuse and sexual harassment. Medical staff are contracted and work for Fargo Cass Public Health. Per interviews medical staff they confirmed they attended the National Institute of Corrections (NIC) class entitled Specialized Training: PREA Medical and Mental Care Standards. This online class is known to the auditor and it does include modules related to each of the four points in this provision.

Medical staff at the facility do not perform forensic examinations. Any inmate who would require the forensic examination due to a sexual assault will be taken to a local hospital policy. Therefore, the facility medical staff do not receive training related to these exams. The Training sergeant maintains a file with the written proof that all medical and mental health care staff have completed the online class. The auditor viewed the list and confirmed that all eight current medical staff members had documented completion of the class.

The medical staff are contracted. They receive the same general PREA training as all other Jail employees. Per policy, as stated in standard 115.31, all new staff members are required to complete the employee orientation program, which includes the required basic PREA training. Through interviews with medical staff, the auditor learned that all staff in the medical unit received PREA training from the facility. While onsite the auditor reviewed training records and verified medical staff received PREA training.

**Conclusion:**

Based on a review of policies, documents, training records, interviews and analysis, the audit finds the facility compliant with all provisions of this Standard.

<b>115.41</b>	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

### **Policy, Materials, Interviews and Other Evidence Reviewed**

- Cass County Jail Completed Pre-Audit Questionnaire (PAQ)
- Cass County Sheriff's Office Policy 501- Booking Procedures
- Cass County Sheriff's Office Policy 507- Inmate Classification
- PREA Risk Assessment tool
- Classification form
- Interviews with:  
Jail Administrator  
PREA Coordinator  
Classification staff

### **Analysis/Reason**

Cass County Jail has several policies addressing the requirement for screening inmates for risk of victimization and abusiveness. Inmates are interviewed and screened in booking immediately upon arrival at the jail. The jail conducts a risk screening on all inmate intakes, which includes medical screening, mental health screening, suicide risk screening, and a PREA screening. Past known offenses and in-custody behavior are reviewed, as well as current charges, to determine an objective pre-classification housing decision. If an inmate is intoxicated upon arrival, the screening process is delayed until the inmate is able to respond to the screening questions. During the onsite phase of the audit, the auditor observed the booking/ intake process. The auditor interviewed several staff that work in the booking area and they all confirmed that a PREA screening is completed on all inmates before they allowed to enter past the booking area. Interviews with random inmates also confirmed a PREA screening was completed as soon as they arrive at the Jail and recalled the specific questions asked. The auditor was provided copies of completed screening forms from random inmates.

The facility provided a copy of the screening tool to the auditor in the PAQ. The auditor reviewed the screening tool to determine if it was objective. The auditor had concerns with the screening tool being used and discuss concerns with the Jail Administrator.

The facility provided a copy of the screening tool to the auditor in the PAQ. The auditor reviewed the screening tool to determine if it considered at a minimum the ten criteria listed in this provision to assess confined persons for risk of sexual victimization. The auditor determined the screen tool did not address all the criteria and discuss concerns with the Jail Administrator.

Policy 507 indicates the following criteria should be considered: Prior acts of sexual abuse, prior convictions for violent offenses and history of prior institutional violence or sexual abuse, as known to the Office. The facility provided a copy of the screening tool to the auditor in the PAQ. The auditor reviewed the screening tool to determine if it considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing inmates for risk of being sexually abusive. The inmate is asked directly about prior history and convictions regarding sexual abuse. During the onsite phase

of the audit, the auditor interviewed several staff that work in booking and they explained the pre-admission steps.

The policy includes a requirement that inmates are reassessed within 30 days from the date of admission to the facility. During the onsite phase of the audit, the auditor interviewed two classification staff. They both confirmed that all inmates are reassessed with 30 days of intake and provided copies of completed reassessments for random inmates. They also stated the re-screen is part of automatic reclassification review within 30 days, included with the full classification file so previous information can be assessed as well. All reassessments are done face to face with the inmate. During interviews with random inmates, the auditor asked if they were asked additional follow-up questions by classification staff. Most inmates housed at the jail for more than 30 days recalled meeting with classification staff within 30 days of arrival.

Policy 507 states, "Inmate risk levels shall be reassessed when required due to a referral, request, incident of sexual abuse, or receipt of additional information that increases the inmate's risk of sexual victimization or abusiveness." It also includes a statement which says, at any point during an inmate's incarceration, a staff member may request a review of the inmate's classification. During interviews with classification staff, staff stated that they will reassess an inmate at any time based on information that is received from other staff, inmates or through incident reports.

Policy 507 states, "Inmates may not be compelled by threat of discipline to provide information or answers regarding:

- (a) Whether the inmate has a mental, physical or developmental disability.
- (b) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming.
- (c) Whether the inmate has previously experienced sexual victimization.
- (d) The inmate's own perception of vulnerability."

During classification staff interviews, the auditor learned that staff rarely have an inmate that refused to answer questions for the screening tool. They stated, however, that no inmate would be disciplined if they chose not to answer the questions. An interview with the PREA Coordinator also verified that inmates are not disciplined for refusing to answer questions during risk screening.

There were 3015 number of inmates entering the facility (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 72 hours or more and who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility. There were 961 number of inmates entering the facility (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 30 days or more and who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake.

**Conclusion:**

Based on a review of policies, documents, training records, interviews and analysis,

	the audit finds the facility compliant with all provisions of this Standard.
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<b>115.42</b>	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 507- Inmate Classification</li> <li>• PREA Risk Assessment tool</li> <li>• Primary Classification Assignment form</li> <li>• Inmate Contact log</li> <li>• Special Needs Placement Directive</li> <li>• Interviews with: Jail Administrator PREA Coordinator Classification staff</li> </ul> <p><b>Analysis/Reason</b></p> <p>Policy 507 states, "Housing, bed, work and program assignments should be made to separate inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. Inmates identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other inmates and staff. All inmates identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. During the onsite phase of the audit, the auditor interviewed staff from classification, and they confirmed that housing assignments, classification and access to programs are all impacted by the information derived from the risk screening. The auditor reviewed completed primary classification forms and could see the final determination for housing was obtained through this document. it clear that all assignments for inmate housing and classification are made on an individual basis and are in the best interests of the safety of each inmate The Jail Administrator stated they would never house a potential victim and abuser in the same housing unit.</p> <p>Policy 507 states, "Housing and program assignments of a transgender or intersex inmate shall include individualized consideration for the inmate's health and safety and any related supervisory, management or facility security concerns. A transgender or intersex inmate's views with respect to his/her own safety shall be given serious consideration. Lesbian, gay, bisexual, transgender or intersex inmates shall not be placed in dedicated facilities, units or wings solely on the basis of such identification or status, unless such placement is pursuant to a consent decree, legal settlement or legal judgment. During the onsite phase of the audit, the auditor interviewed two classification staff members regarding the housing of transgender and intersex</p>

	<p>inmates and confirmed placement is reviewed on a case by case basis, which is consistent with the policy. There were no transgender or intersex inmates housed at the facility at the time of the on-site audit. Staff indicated they rarely receive transgender inmates and were not aware of ever housing an intersex inmate.</p> <p>Policy 507 states, "Housing and program assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats experienced by the inmate." The auditor interviewed classification staff and the PREA coordinator during the onsite phase of the audit. Staff confirmed that this review would be performed at least twice per year for the safety of the inmate, regardless of the inmate's sexual orientation or status as a transgender person or intersex.</p> <p>Policy 507 states, "Housing and program assignments of a transgender or intersex inmate shall include individualized consideration for the inmate's health and safety and any related supervisory, management or facility security concerns. A transgender or intersex inmate's views with respect to his/her own safety shall be given serious consideration." During the onsite phase of the audit, the auditor interviewed staff from classification, and they confirmed that this question is asked by classification prior to making a decision on safe housing and documented.</p> <p><b>Conclusion:</b> Based on the review of policies, form, documentation, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.</p>
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<b>115.43</b>	<b>Protective Custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 507- Inmate Classification</li> <li>• Cass County Sheriff's Office Policy 504- Special Management Inmates</li> <li>• Special Needs Placement form</li> <li>• Classification form</li> <li>• Interviews with: Jail Administrator PREA Coordinator Classification staff Restrictive Housing staff</li> </ul> <p><b>Analysis/Reason</b></p> <p>Policy 507 states, "inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has been determined that there is no available alternative means</p>



	<p>of separation from likely abusers." During the onsite phase of the audit, the auditor interviewed a restrictive housing staff and stated no inmates were housed due to their high risk for sexual victimization.</p> <p>The auditor interviewed the Jail Administrator, and he confirmed that the facility would not place inmates in involuntary segregation in order to keep them safe in custody. The auditor was told that inmates may request protective custody to remain safe, but this a voluntary placement. At the time of the audit there were no inmates held in involuntary segregation due to high risk of sexual victimization.</p> <p>Policy 504 addresses how the jail handles special management inmates. During the onsite phase of the audit, the Jail Administrator indicated there are never involuntary segregation placements due to risk of sexual victimization. The auditor interviewed classification staff, the PREA Coordinator and Jail Administrator. All confirmed inmates were reviewed at least once per month to determine if they would remain in segregated housing or if other alternatives were available. The auditor was provided with sufficient information to determine that this process is ongoing and part of the normal facility procedures.</p> <p><b>Conclusion:</b></p> <p>Based on the review of policy, procedures, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.</p>
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<b>115.51</b>	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Sheriff's Office Policy 604- Foreign Nationals and Diplomats</li> <li>• Inmate Handbook (revised September 2019)</li> <li>• US Marshall Contract</li> <li>• North Dakota Correctional Facility Standards</li> <li>• PREA Lesson Plan</li> <li>• Emails documenting verbal reporting</li> <li>• Interviews with:</li> </ul> <p>Jail Administrator  PREA Coordinator  Random Staff  Random Confined Persons</p> <p><b>Analysis/Reason</b></p>

Policy 606 – Prison Rape Elimination Act clearly defines the multiple ways that inmates can file reports of sexual abuse, sexual harassment, retaliation for making such reports and reports of staff neglect or lack of responsibility. The Inmate Handbook lists multiple ways that inmates can report abuse by leaving a message on the PREA hotline, directly to a staff member verbally, in writing, through a third party or an outside agency. During the onsite phase of the audit, the auditor completed a site review and visited all housing units. Signs informing inmates of the multiple reporting ways were clearly posted in all housing units on enclosed bulletin boards.

The auditor interviewed 14 random inmates and all inmates could tell the auditor several ways that they could report abuse, harassment and concerns regarding staff neglect or lack of responsibility. Most inmates mentioned the PREA hotline as their first avenue to report abuse.

That option is clearly marked by telephones throughout the facility. The auditor tested the inmate telephone and verified that the phone would connect with the hotline by dialing 222. The Jail Administrator reported to the auditor that the test message was received. The auditor interviewed 12 random staff members. Most staff could list at least four different ways that inmates could report abuse.

The facility provided a copy of the US Marshall Contract and the North Dakota Correctional Facility Standards which requires the facility to post contact information. These two agencies are the outside reporting options for the inmates and their contact information is posted in the housing units. Policy 604 requires inmates detained solely for civil immigration purposes be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security. Information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security is available.

Policy 606 and PREA training states that staff must accept verbal and written reports of sexual abuse and sexual harassment from inmates and from third parties and promptly report those reports to facility supervisors. The facility provided two examples of staff taking verbal reports from inmates and documenting the reports with an email to the PREA Coordinator and Investigator. During the onsite phase of the audit, the auditor interviewed 12 random staff members. All staff interviewed were aware of their responsibility to take verbal reports of abuse and immediately contact a supervisor to file that report. Random inmates interviewed confirmed inmates were aware that they could report sexual abuse directly to any staff member.

Policy 606 and PREA training provides staff with an avenue to privately report incidents of sexual abuse and harassment as an employee. The policy allows for reporting to facility supervisors, Jail Administrator, PREA Coordinator, Office of Professional Standards or the North Dakota DOC. The auditor interviewed 12 random staff members and they knew that they could privately reports incidents of sexual abuse and harassment.

**Conclusion:**

Based on review of policy, documents, interviews and analysis, the auditor finds the facility in compliance with all provisions of this Standard.

<b>115.52</b>	<b>Exhaustion of administrative remedies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 609- Inmate Grievances</li> <li>• Inmate Handbook (revised September 2019)</li> <li>• Investigation Reports</li> <li>• Documentation of a grievance appeal</li> <li>• Interviews with: Jail Administrator PREA Coordinator Interviews with Confined Persons</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>The agency is not exempt from this standard, as it does have in place an administrative grievance procedure for inmates. Policy 609- Inmates Grievances establishes a process by which inmates may file grievances.</p> <p>Policy 609 outlines the four requirements in this provision. The policy does not impose a time limit for filing a grievance related to sexual abuse but does apply a time limit for other grievances and there is no requirement for inmates to use other informal grievance processes before filing the grievance regarding sexual abuse. The facility informs inmates of the grievance process during orientation and provides inmates with the procedure regarding grievances in the Inmate Handbook. The information provided in the inmate handbook does not conflict with the information in the facility policy. Per interviews during the onsite phase of the audit, staff and inmates were aware that inmates could file a grievance in order to make an allegation of sexual abuse. The grievances forms were available throughout the facility.</p> <p>The grievance policy allows for inmates to submit grievances to any staff member or Inmates may request to submit the grievance directly to a supervisor or mail it directly to the Jail Administrator. This allows an inmate to submit the grievance without having to give it to the staff member who is the subject of the complaint. The policy states a PREA grievance will be referred to the Shift Supervisor for investigation. Inmates and staff are not required to attempt to informally resolve grievances related to sexual abuse.</p> <p>Policy 609 clearly identifies the required time limits for completion of the grievance response and notifications to the inmate if an extension of time is necessary. The auditor reviewed completed sexual abuse investigations during the onsite phase of the audit. There was zero (0) allegations submitted through the inmate grievance during the previous 12 months. The investigation and response were completed within the 90-day period and an extension was not required.</p> <p>Policy 609 indicated the facility will accept grievances and allegations of sexual abuse</p>

	<p>from third parties, including inmates, family, advocates and attorneys. The policy allows for the inmate that is the alleged victim to declines the filing of the report. During the past 12 months there was (0) allegation submitted directly by the alleged victim utilizing the grievance process. There were no third-party grievance submitted.</p> <p>Policy 609 includes a provision for an inmate who feels that he or she is subject to imminent substantial risk of sexual abuse to submit an emergency grievance. The provision includes the required time limitations for the facility to review the grievance and provide a written response. There were no emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months.</p> <p>Policy 609 states that inmates will not be disciplined for filing an allegation that was filed in good faith that there is a reasonable belief that the alleged conduct could have occurred. In the past 12 months, there were no inmate grievances alleging sexual abuse that resulted in disciplinary action by the agency against the inmate for having filed the grievance in bad faith.</p> <p><b>Conclusion:</b> Based on the review of policy, documentation, interviews and analysis, the facility is in compliance with all provisions of this Standard.</p>
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<b>115.53</b>	<b>Inmate access to outside confidential support services</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Inmate Handbook (revised September 2019)</li> <li>• Investigation Reports</li> <li>• Red River Sexual Assault Team protocols</li> <li>• Rape and Abuse Crisis Center information handout</li> <li>• Call detail report</li> <li>• Interviews with: Jail Administrator PREA Coordinator Intake staff Interviews with Confined Persons</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 in section 3 states, "Making reasonable efforts to enter into agreements with community service providers to provide inmates with confidential emotional</p>

support services related to sexual abuse. The facility shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations. Persons detained solely for civil immigration purposes shall be given contact information for immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies in as confidential a manner as possible. The facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws."

Policy 606 in section 6 states, "A victim advocate from a rape crisis center should be made available to the victim. Efforts to secure services from a rape crisis center shall be documented. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 34 USC §12511, to sexual assault victims of all ages." During the onsite phase of the audit, the auditor interviewed the Jail Administrator and he indicated the Jail does not have its own individual MOU with a rape crisis center but is covered in a county wide agreement. The auditor contacted a representative from the Rape and Abuse Crisis Center and confirmed the agency provides services to Cass County Jail inmates as required by this Standard. The auditor interviewed random and targeted inmates. Most of the inmates interviewed were aware that outside emotional support services were available. Inmates who had reported prior sexual abuse are provided with a Rape and Abuse Crisis Center handout which provides contact information. Calls to the crisis center are free and not recorded.

Policy 606 states, "The facility shall enable reasonable communication between inmates and these organizations and agencies in as confidential a manner as possible. The facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

The auditor was provided a log from their system that showed the number as an unrecorded line and there is no charge for the calls. In the PAQ, the facility provided a copy of Red River Sexual Assault Team protocols, which is a multi-county protocol that includes inmate victim access to confidential emotional support services.

**Conclusion:**

Based on the review of policies, documents, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.

<b>115.54</b>	<b>Third-party reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

**Policy, Materials, Interviews and Other Evidence Reviewed**

- Cass County Jail Completed Pre-Audit Questionnaire (PAQ)
- Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act
- PREA Guest Information brochure
- Inmate Handbook (revised September 2019)
- Cass County website
- PREA Posters
- Tour of the facility
- Interviews with:  
PREA Coordinator  
Interviews with Confined Persons  
Observations

**Analysis/Reasoning**

Policy 606, the Inmate Handbook and the PREA Guest Information Flyer addresses third party reporting and the process to make a report. The agency website also includes information on how to make a third-party report. Random inmate interviews disclosed that inmates were aware that family or friends could make reports on their behalf.

The Auditor conducted a review of the agency's Offender Handbook. The handbook includes a "Prison Rape Elimination Act" section that includes the facility's reporting methods. This section of the Offender Handbook includes information informing confined persons they can have a third-party report allegation of sexual abuse or sexual harassment on their behalf. Each confined person is provided an Offender Handbook upon arrival. The handbook includes a copy of the agency's Zero Tolerance Brochure.

The Auditor reviewed the agency's Zero Tolerance Brochure. The brochure informs confined persons they may ask a family member or friend to report an allegation for them. The Auditor reviewed the agency's website. The website includes a link to the agency's Prison Rape Elimination Act information. The website directs the public to:

- "Call the 24-7 confidential reporting hotline at (number provided);
- File a complaint by completing the Third-Party Reporting Form. The form is also available in Spanish;
- Send an email to (email address provided)."

**Conclusion:**

Based on the review of policy, documents, interviews and analysis, the auditor finds the facility compliant with this Standard.

<b>115.61</b>	<b>Staff and agency reporting duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard

## **Auditor Discussion**

### **Policy, Materials, Interviews and Other Evidence Reviewed**

- Cass County Jail Completed Pre-Audit Questionnaire (PAQ)
- Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act
- PREA Lesson Plan
- Investigative reports
- Interviews with:  
Jail Administrator  
PREA Coordinator  
Random Staff  
Medical staff

### **Analysis/Reasoning**

Policy 606 states, " Any employee, agency representative, volunteer or contractor who becomes aware of an incident of sexual abuse, sexual harassment or retaliation against inmates or staff shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator". Per review of the PREA lesson plan, staff are also trained to promptly report any knowledge or suspicion of sexual assault or sexual harassment of an inmate, whether or not the abuse occurred in their facility. Staff are also to report any information regarding retaliation against inmates or staff due to their reporting allegations of sexual abuse and knowledge of staff neglect or lack of responsibility. During the onsite phase of the audit, the auditor interviewed 15 random staff members. Every person interviewed clearly stated that they were required to immediately report all allegations of sexual assault or sexual harassment.

Policy 606 states, "Threats or allegations of sexual abuse and sexual harassment, regardless of the source, shall be documented and referred for investigation. Sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law. Random staff interviewed clearly understood the requirement to maintain confidentiality of sexual assault and sexual harassment cases. Each of the 15 random staff members interviewed reported that they were only allowed to discuss these cases with persons who needed to know the information.

Policy 606 states, " Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions. During the onsite phase of the audit, the auditor interviewed medical staff. Everyone interviewed confirmed that they are mandatory reporters of sexual abuse of inmates. Staff did confirm that they would inform the inmate of their duty to report and limits to the confidentiality of information learned from the inmate.

Policy 606 states, " The health authority or mental health staff shall obtain informed consent from inmates before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the

	<p>inmate is under the age of 18". Cass county Jail does not house youthful offenders. The PREA Coordinator stated that it would be unusual for the jail to house an inmate considered a vulnerable adult under a state statute, but was aware of the reporting requirement.</p> <p>Policy 606 states, "The facility shall provide information to all visitors or third parties on how they may report any incident, or suspected incident, of sexual abuse or sexual harassment to a staff member. Inmates may report sexual abuse or sexual harassment incidents anonymously or to any staff member they choose. Staff shall accommodate all inmate requests to report allegations of sexual abuse or harassment. Staff shall accept reports made verbally, in writing, anonymously or from third parties and shall promptly document all verbal reports. Threats or allegations of sexual abuse and sexual harassment, regardless of the source, shall be documented and referred for investigation". The auditor interviewed the PREA Coordinator who confirmed that the facility investigates all allegations of sexual abuse and sexual harassment. All allegations are forwarded to the investigators.</p> <p><b>Conclusion</b></p> <p>Based on the review of policy, documentation, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.</p>
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<b>115.62</b>	<b>Agency protection duties</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Interviews with: Jail Administrator Random staff</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 outlines prevention efforts employed to further the agency's zero tolerance policy. The auditor interviewed the Jail Administrator during the onsite phase of the audit. He made it clear that all staff members are trained and directed to immediately take action to protect any inmate if they become aware that he or she is in imminent danger of being abused. The auditor interviewed 15 random staff members. All stated that they always react immediately if they see someone in imminent danger and separated the victim from the abuser. Reported in the PAQ, there were no times the agency or facility determined that an inmate was subject to a substantial risk of imminent sexual abuse in the past 12 months.</p>



The Auditor conducted formal interviews with confined persons who previously suffered sexual abuse. Each of those confined persons were asked if they have been in contact with a potential sexual abuser. None of the confined persons were aware of having contact with a potential sexual abuser in their housing units. Offenders informed the Auditor facility staff are responsive to incidents in the facility. Confined Persons informed the Auditor a majority of staff do their job well and take care of the population. Confined Persons are confident in staff's abilities to ensure their protection.

The Auditor conducted formal interviews with facility supervisors. Supervisors were asked to explain what steps are taken to protect an offender after learning the offender is at a substantial risk of imminent sexual abuse. The Auditor was informed the potential victim and potential aggressor would be separated from one another. The facility investigator would immediately be notified so an investigation could begin to determine the risk. One of the confined persons would be moved to another housing unit to maintain the safety of both confined persons. Randomly selected staff were interviewed by the Auditor. Each was asked what steps they would take after learning a confined person was at imminent risk of substantial sexual abuse. Each informed the Auditor they would immediately notify their supervisor and stay with the at risk confined person.

**Conclusion:**

The Auditor concluded the Cass County Jail takes immediate and appropriate actions to ensure the protection of confined persons who are identified at a substantial risk of imminent sexual abuse. The Auditor reviewed agency policy, procedures, investigative records, conducted interviews with staff and offenders, made observations and determined the CCJ meets the requirements of this standard.

<b>115.63</b>	<b>Reporting to other confinement facilities</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Notification Letter</li> <li>• Interviews with: Jail Administrator</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 states, " If there is an allegation that an inmate was sexually abused while he/she was confined at another facility, the Jail Administrator shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Administrator shall ensure that the notification has been</p>

documented. During the onsite phase of the audit, the auditor interviewed the Jail Administrator and he reported that there were two (2) notifications made in the past 12 months. The auditor reviewed the notification and verified it was made within 72 hours and was documented.

Policy 606 states, "This office has zero tolerance with regard to sexual abuse and sexual harassment in this facility. This office will take appropriate affirmative measures to protect all inmates from sexual abuse and harassment, and promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment. If the facility is contacted by another agency or corrections facility, the facility will immediately begin an investigation based on the inmate's allegation of abuse. This was confirmed through an interview with the Jail Administrator. In the past 12 months there was zero (0) such notification that came from another facility. The last notification was dated November 1, 2021.

**Conclusion:**

The Auditor reviewed the agency's policies, procedures, notification, and conducted interviews with agency staff and determined the facility has appropriate procedures in place to comply with this standard. The Auditor determined the facility meets the requirements of this standard.

<b>115.64</b>	<b>Staff first responder duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Sheriff's Office Policy 601- Sexual Assault Investigations</li> <li>• PREA Handbook for Contractors and Volunteers</li> <li>• Interviews with: Jail Administrator PREA Coordinator Random Staff Confined Persons</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 601.6 states, "Subject to available resources, periodic training should be provided to:</p> <p>(a) Members who are first responders. Training should include:</p> <ol style="list-style-type: none"> <li>1. Initial response to sexual assaults.</li> <li>2. Legal issues.</li> </ol>

3. Victim advocacy.
  4. Victim's response to trauma.
- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
1. Interviewing sexual assault victims.
  2. SART.
  3. Medical and legal aspects of sexual assault investigations.
  4. Serial crimes investigations.
  5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
  6. Techniques for communicating with victims to minimize trauma.

Policy 606 contains a section on first responder responsibilities as follows: If an allegation of inmate sexual abuse is made, the first deputy to respond shall;

- (a) Separate the parties.
- (b) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals.
- (c) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (d) If the time period allows for collection of physical evidence, request that the alleged victim, and ensure that the alleged abuser, do not take any actions that could destroy physical evidence (e.g., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, eating).
- (e) Consider whether a change in classification or housing assignment for the victim is needed or whether witnesses to the incident need protection, both of which may include reassignment of housing.
- (f) Determine whether the alleged perpetrator should be administratively segregated or administratively transferred during the investigation.

If the first responder is not a deputy, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a deputy.

The policy includes each of the points in this provision of the standard. The auditor interviewed 15 random staff members during the onsite phase of the audit. Each person interviewed was able to provide the auditor with these initial first responder steps. The policy also includes action to be taken by non-security staff. Per the PAQ, in the past 12 months there were no allegations that required the collection of forensic evidence.

**Conclusion:**

Based on the review of policy, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.

<b>115.65</b>	<b>Coordinated response</b>
	<p data-bbox="256 188 959 221"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="256 264 544 297"><b>Auditor Discussion</b></p> <p data-bbox="256 340 1193 374"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul data-bbox="256 383 1449 622" style="list-style-type: none"> <li data-bbox="256 383 1102 416">• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li data-bbox="256 423 1449 499">• Cass County Jail PREA Comprehensive Plan for Prevention and Response to Sexual Abuse and Sexual Harassment</li> <li data-bbox="256 506 512 622">• Interviews with: Jail Administrator PREA Coordinator</li> </ul> <p data-bbox="256 665 568 698"><b>Analysis/Reasoning</b></p> <p data-bbox="256 734 1481 1016">The Cass County Jail PREA Comprehensive Plan for Prevention and Response to Sexual Abuse and Sexual Harassment contains the coordinated response plan. The plan covers duties and responsibilities for first responders, shift supervisors, medical staff, mental health staff, forensic examinations, investigators and the PREA Coordinator. The auditor reviewed the steps of the coordinated response plan with the PREA Coordinator. It was confirmed that all areas of the facility work together in response to any sexual abuse allegations.</p> <p data-bbox="256 1059 1481 1384">All staff who serve in specialized roles are required to complete specific training in addition to the Regular Employee Training. PREA Investigators must complete specialized online training through the National Institute of Corrections (NIC) and must also attend a PREA Investigator course offered by the North Dakota Department of Corrections and Rehabilitation (NDDOCR). For cases involving sexual abuse where a criminal prosecution or internal employee investigation may be initiated, the Cass County Sheriff's Office will coordinate with detectives and investigators who specialize in those areas.</p> <p data-bbox="256 1426 1481 1751">Medical and Mental Health staff must also complete specialized online training through the NIC, which provides for the necessary training elements established in the PREA Standards. PREA Compliance and Coordinator specialized training is conducted on an ongoing basis. These staff collaborate via a statewide network of PREA Coordinators, including with the NDDOCR, and as offered by the PREA Resource Center. All those who complete specialized PREA training complete a separate acknowledgement form indicating that they have received and understand the required materials.</p> <p data-bbox="256 1794 443 1827"><b>Conclusion:</b></p> <p data-bbox="256 1870 1481 1944">Based on the review of the coordinated plan, interview and analysis, the auditor finds the facility compliant with this Standard.</p>

<b>115.66</b>	<b>Preservation of ability to protect inmates from contact with</b>
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<b>abusers</b>
<p><b>Auditor Overall Determination:</b> Meets Standard</p>
<p><b>Auditor Discussion</b></p>
<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Interviews with: Jail Administrator</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 states, "The Office shall not enter into or renew any labor agreement or other agreement that limits the office'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." Cass County Jail does not participate in collective bargaining with their staff. This was confirmed through an interview with the Jail Administrator.</p> <p><b>Conclusion:</b></p> <p>Based on this analysis, the auditor finds the facility in compliance with this Standard.</p>

<b>115.67 Agency protection against retaliation</b>
<p><b>Auditor Overall Determination:</b> Meets Standard</p>
<p><b>Auditor Discussion</b></p>
<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Retaliation Monitoring form</li> <li>• Interviews with: Jail Administrator PREA Coordinator Targeted inmates</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 states, "All inmates and staff who report sexual abuse or sexual harassment, or who cooperate with sexual abuse or sexual harassment investigations, shall be protected from retaliation. The Jail Administrator or the authorized designee shall assign a supervisor to monitor, for at least 90 days, the</p>

conduct and treatment of confined persons or staff who report sexual abuse or sexual harassment, as well as inmates who were reported to have suffered sexual abuse, to determine if there is any possible retaliation. During the onsite phase of the audit the auditor interviewed the Jail Administrator and he indicated that himself or the PREA Coordinator would monitor retaliation and gather information from supervisors. The auditor interviewed the PREA Coordinator and he confirmed that one of his assigned duties is to monitor inmates for potential retaliation. He stated he does this by meeting with confined persons while performing rounds in the facility. 115.67(b).

Policy 606 states, "Protective measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment or reassignment of the victim or alleged perpetrator to another housing area, and support services for inmates or staff who fear retaliation shall be utilized. Through interviews with the Jail Administrator and PREA Coordinator, the auditor was able to confirm the use of multiple measures to protect confined persons and staff from retaliation. The PREA Coordinator stated that he would ensure that any confined persons that expressed a fear of retaliation or reported retaliation was always protected.

Policy 606 addresses the requirement of this provision. Monitor is required to take place for at least 90 days, Monitoring may continue beyond 90 days if needed. During the onsite phase of the audit, the auditor interviewed the PREA Coordinator and he confirmed monitoring would be for at least 90 days unless the victim was released prior to this period. The PREA Coordinator stated that he meets with confined persons while he performs rounds in the facility and could not recall a time when an inmate expressed a concern regarding retaliation.

Policy 606 states, "If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take reasonable measures to protect that individual against retaliation. During the onsite phase of the audit, the auditor interviewed the Jail Administrator and he confirmed that the facility would take action against any inmate or staff member if it was proven they had retaliated against another person due to their participation in sexual abuse investigations. Per the information provided in the PAQ, there were no incidents of retaliation that occurred in the past 12 months.

**Conclusion**

Based on the review of policy, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.

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

	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 507- Inmate Classification</li> <li>• Interviews with: PREA Coordinator Classification staff</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 507 regarding classification of inmates includes information on the use of protective custody and involuntary segregated housing and limits to their programs and activities. The auditor interviewed classification staff and the PREA Coordinator who confirmed use of this protective custody unit and the need to avoid segregation as a housing alternative to assure the safety of confined persons. There were no confined persons who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months.</p> <p><b>Conclusion</b></p> <p>Based on the review of policies, interviews and analysis, the auditor finds the facility compliant with this Standard.</p>
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<b>115.71</b>	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Investigator Training Records</li> <li>• Completed Investigation Reports</li> <li>• Interviews with: Jail Administrator PREA Coordinator Investigator</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 in the Investigation section, states An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse and sexual harassment. During the onsite phase of the audit, the auditor interviewed an PREA Coordinator. He stated that they investigate all incidents. An investigator would respond immediately to the facility if it were needed. The auditor reviewed the</p>

investigative reports while onsite. The investigations are well documented, objective and timely. It should be noted that most investigations were immediately investigated with a majority of cases completed within one week.

Policy 606 states, "Only investigators who have completed office-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases". PREA Investigators must complete specialized online training through the National Institute of Corrections (NIC) and must also attend a PREA Investigator course offered by the North Dakota Department of Corrections and Rehabilitation (NDDOCR). For cases involving sexual abuse where a criminal prosecution or internal employee investigation may be initiated, the Cass County Sheriff's Office will coordinate with detectives and investigators who specialize in those areas.

Policy 606 states, "All administrative and/or criminal investigations 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" Review of investigative reports and interviews with investigators confirm the facility completes the points of this provision when conducting investigations. Inmate victims are transported to a local hospital for forensic examination and evidence collection.

During the auditor's interview with the investigator compelled interviews were discussed. He would coordinate investigative efforts with the professional standards unit if an investigation involves a staff member. The facility standard practice is to suspend administrative investigations while the criminal investigation is completed. Criminal investigations of staff sexual misconduct are referred to an outside agency.

Policy 606 states, "Inmates alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation. All administrative and/or criminal investigations 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". During the onsite phase of the audit, the auditor interviewed an investigator. He explained to the auditor that the agency would never utilize truth-telling efforts to determine if any victim of sexual abuse was telling the truth. That is something that is not allowed per policy and would never be done by any investigator. He also confirmed that the agency would always review evidence from their investigation on its own and not allow the inmate victim's status as an inmate to affect the outcome of the investigation.

Policy 606 states, "Administrative investigations shall include an effort to determine whether the staff's actions or inaction contributed to the abuse. All administrative and/or criminal investigations 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. The auditor interviewed an investigator during the onsite phase of the audit. The investigator discussed investigations of staff members. Part of all such investigations includes a review to determine if there were any violations of policy and violations of law. He confirmed



that he is required to write a report at the completion of all investigations. The report will include the allegation, evidence collected and reviewed, summary of interviews and the reasoning behind his final determination. There were zero (0) number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since August 20, 2012, or since the last PREA audit, whichever is later.

Policy, practice and training require an investigator to complete a report of investigation at the completion of all criminal investigations. The report is to contain a description of the allegation, a summary of the information received through interviews with inmates and staff members, a listing of the evidence collected, and a description of the credibility assessment and final determination. An investigator interviewed by the auditor confirmed that he is required to write a report at the completion of all investigations. The report will include the allegation, evidence collected and reviewed, summary of interviews and the reasoning behind his final determination. Each of the investigation files reviewed by the auditor contained a final report and evaluation of evidence, interviews and final determination.

Policy 606 states, "If criminal acts are identified as a result of the investigation, the case shall be presented to the appropriate prosecutor's office for filing of new charges". The investigator confirmed that all substantiated allegations of sexual abuse would be reviewed and referred for prosecution.

Policy 606 states, "The Office shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Office, plus five years. Per an interview with the Jail Administrator, all PREA reports and supplemental investigation materials are stored in a separate confidential and dedicated software system and retained per policy.

Policy 606 states, "The departure of the alleged abuser or victim from the employment or control of the jail or office shall not provide a basis for terminating an investigation. The auditor interviewed the Jail Administrator and the investigator during the onsite phase of the audit.

Policy 606 states, "If the investigation is referred to another agency for investigation, the Office shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented. The Office shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation. The investigator stated the jail has a good working relationship with local, county and state agencies. The facility would cooperate with the investigation and also maintain communication and stay informed.

**Conclusion:**

Based on the review of policies, documents, interviews and analysis, the auditor finds the facility compliant with all provisions of this standard.

	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Completed Investigation Reports</li> <li>• Interviews with: Jail Administrator Investigator</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 states, "All completed written investigations shall be forwarded to the Jail Administrator or if the allegations may reasonably involve the Jail Administrator, to the Sheriff. The Jail Administrator or Sheriff shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence." The auditor interviewed the Jail Administrator and an investigator during the onsite phase of the investigation. Both confirmed that the preponderance of evidence is the standard utilized for all sexual abuse and sexual harassment investigations in the facility.</p> <p><b>Conclusion</b></p> <p>Based on the review of policy, interviews and analysis, the auditor finds the facility compliant with this Standard.</p>

<b>115.73</b>	<b>Reporting to inmates</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Notification Letter to inmates</li> <li>• Completed Investigation Reports</li> <li>• Interviews with: Jail Administrator PREA Coordinator Investigator Targeted Confined Person</li> </ul> <p><b>Analysis/Reasoning:</b></p>

Policy 606 states, "The Jail Administrator or the authorized designee shall inform a victim inmate in writing whether an allegation has been substantiated, unsubstantiated or unfounded. All notifications or attempted notifications shall be documented. When notification is made while the inmate is in custody, the inmate will sign a copy of the notification letter. The letter will be added to the case file." During the onsite phase of the audit, the auditor interviewed the PREA Coordinator and Investigator and they both stated this is a standard procedure. In addition to the victim the facility also notifies the abuser of the outcome of an investigation. The auditor reviewed the facility's twenty-two (22) sexual abuse investigation files from the past 12 months and could find written notifications to inmates.

Policy 606 states, "If the Office did not conduct the investigation, the Office shall request relevant information from the investigative agency in order to inform the inmate." During the onsite phase of the audit, the auditor interviewed the PREA Coordinator and he stated this is a standard procedure. There were no allegations of sexual abuse investigated by an outside agency in the past 12 months. Therefore, there were no files to review.

Policy 606 states, "If a staff member is the accused (unless the Office has determined that the allegation is unfounded), the inmate shall also be informed whenever: (a) The staff member is no longer assigned to the inmate's unit or employed at the facility. (b) The Office learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility." During the onsite phase of the audit, the auditor interviewed the PREA Coordinator and he indicated the facility would follow the requirement per policy.

Policy 606 states, "If another inmate is the accused, the alleged victim shall be notified whenever the Office learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility." During the onsite phase of the audit, the auditor interviewed the PREA Coordinator and investigator. They both agreed that this type of notification would be made, although there have been no substantiated allegations where the alleged abuser was indicted or convicted on a charge related to sexual abuse within the facility.

Policy 606 states, "All notifications or attempted notifications shall be documented. When notification is made while the inmate is in custody, the inmate will sign a copy of the notification letter. The letter will be added to the case file. During the onsite phase of the audit, the auditor reviewed the (22) investigation files from the past 12 months. A copy of the letter notifying the inmate of the outcome of the investigation was maintained in the investigation file.

### **Conclusion**

Based on the review of policy, documentation, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Policy, Materials, Interviews and Other Evidence Reviewed**

- Cass County Jail Completed Pre-Audit Questionnaire (PAQ)
- Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act
- Cass County Sheriff's Office Policy 108-Standards of Conduct
- Investigative Files
- Interviews with:  
Jail Administrator  
PREA Coordinator

**Analysis/Reasoning:**

Policy 606 includes definition of sexual abuse and sexual harassment. It states sexual abuse and sexual harassment between staff, volunteers or contract personnel and inmates is strictly prohibited and that staff shall be subject to disciplinary sanctions, up to and including termination, for violating this policy. The auditor reviewed the investigations files for the previous 12 months. There were no substantiated allegations against a staff member. The auditor confirmed through conversations with the PREA Coordinator that in the past 12 months, there has been zero staff from the facility who has been disciplined, terminated, or resigned prior to termination for violating agency sexual abuse or sexual harassment policies. Additionally, in the past 12 months, there has been zero staff that has been reported to law enforcement or licensing boards for violating agency policies.

The policy prohibits sexual abuse of an inmate. The policy states that termination shall be the presumptive disciplinary sanction for staff members who have engaged in sexual abuse. There were no substantiated allegations of sexual abuse against a staff member. The auditor confirmed through conversations with the PREA coordinator that there have been no substantiated allegations. In the past 12 months, there were zero staff from the facility who have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policy.

The policy prohibits sexual abuse of an inmate. All discipline 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. During the onsite phase of the audit, the auditor reviewed the investigations files for the previous 12 months. There were no substantiated allegations against a staff member. In the past 12 months, there were zero staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies (other than actually engaging in sexual abuse).

The policy prohibits sexual abuse of an inmate. The policy states all terminations for violations of sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to the law enforcement agency that would handle any related investigation and to any relevant

licensing bodies. During the onsite phase of the audit, the auditor reviewed the investigations files for the previous 12 months. There were no substantiated allegations against a staff member. In the past 12 months, there were zero staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies (other than actually engaging in sexual abuse)

Policy 108 states, “Members have a continuing affirmative duty to notify the Jail Administrator in writing if they have (28 CFR 115.17):

- (a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution as defined in 42 USC § 1997.
- (b) Been convicted for an offense involving engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.
- (c) Been the subject of any civil or administrative adjudication finding that the member engaged in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

Policy 1008 states, “It will be the policy of the Cass County Sheriff's Office to promptly and thoroughly investigate and resolve all complaints regarding the conduct of Cass County Sheriff's Office personnel, procedures and services. All investigative methods will be consistent with the law, and conducted in a fair and impartial manner ensuring the rights and dignity of the accused employee. If any employee who is to be investigated feels there may be conflict/complaint with the Office of Professional Standards (OPS) they should contact the Sheriff with their concerns. The Sheriff will then decide if another staff member will be assigned to investigate the allegations or move forward with the OPS staff member.

**Conclusion**

The Auditor determined the agency has appropriate policies and practices in place to ensure staff are disciplined for violating the agency's sexual abuse and sexual harassment policies. The agency makes termination the presumptive discipline measure for engaging in acts of sexual violence. The agency reports violations of sexual abuse to the local law enforcement agency and relevant licensing bodies. The Auditor reviewed the agency's policies, procedures, investigative records, and conducted interviews with staff and determined the agency meets the requirements of this standard.

<b>115.77</b>	<b>Corrective action for contractors and volunteers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<b>Policy, Materials, Interviews and Other Evidence Reviewed</b>

	<ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Completed Investigation Report</li> <li>• Interviews with: Jail Administrator PREA Coordinator</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 states, "Sexual abuse and sexual harassment between staff, volunteers or contract personnel and inmates is strictly prohibited. The fact that an inmate may have initiated a relationship or sexual contact is not a defense to violating this policy. Any contractor or volunteer who engages in sexual abuse within the facility shall be immediately prohibited from having any contact with inmates. He/she shall be promptly reported to the law enforcement agency that would investigate such allegations and brought to the attention of any relevant licensing bodies."</p> <p>In the past 12 months, there were no (0) contractors or volunteers have been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates and reported to law enforcement for engaging in sexual abuse of inmates.</p> <p><b>Conclusion</b></p> <p>Based on the review of policy, documents, interviews and analysis, the auditor finds the facility compliant with all the provisions of this Standard.</p>
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<b>115.78</b>	<b>Disciplinary sanctions for inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Sheriff's Office Policy 600- Inmate Discipline</li> <li>• Inmate handbook</li> <li>• Investigative reports</li> <li>• Interviews with: Jail Administrator PREA Coordinator</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>The facility has a formal disciplinary process. Policy 600 outlines the disciplinary action for inmates and states, "Inmates shall be subject to disciplinary sanctions</p>

pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

The Inmate handbook contains information on inmate rules and the disciplinary procedure and process. In the past 12 months, there was (1) number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility and (0) number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility.

Policy 600 states, "Discipline shall be commensurate with the nature and circumstances of the offense committed, the inmate's disciplinary history and the sanctions imposed for comparable offenses by other inmates with similar histories." During the onsite phase of the audit, the auditor confirmed through an interview with the Jail Administrator that administrative sentences for inmates are based on the policy, the nature of the incident, inmate history and prior sanctions imposed for similar offenses.

Policy 600 states, "The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to the inmate's behavior when determining what type of discipline, if any, should be imposed." The Jail Administrator confirmed that the facility would take into account the inmate's mental illness or mental disabilities before imposing any sanctions for sexual abuse or sexual harassment.

In the PAQ, it was noted that the facility does not offer therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse.

Policy 600 states, no discipline may be imposed for sexual contact with staff unless there is a finding that the staff member did not consent to such contact. The PREA Coordinator was interviewed and stated that there have been no such incidents of sexual contact between staff and inmates.

Policy 600 states, no inmate may be disciplined for falsely reporting sexual abuse or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation, if the report was made in good faith based upon a reasonable belief that the alleged conduct occurred.

Consensual sexual contact is not specifically prohibited. Discipline may be imposed for sexual activity between inmates. However, such activity shall not be considered sexual abuse for purposes of discipline unless the activity was coerced.

### **Conclusion**

Based on a review of policies, documentation, interviews and analysis, the facility is in compliance with all provisions of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Policy, Materials, Interviews and Other Evidence Reviewed**

- Cass County Jail Completed Pre-Audit Questionnaire (PAQ)
- Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act
- Cass County Sheriff's Office Policy 708- Health Appraisals
- Special Needs Placement Directive
- Medical Assessment records
- Interviews with:  
Jail Administrator  
PREA Coordinator  
Medical staff  
Intake staff  
Classification staff

**Analysis/Reasoning**

Cass County Jail is not a prison and provisions (a) & (b) do not apply. Policy 708 states, "Inmates who have an identified history of sexual victimization shall be offered a follow-up meeting with a qualified health care or mental health provider within 14 days of intake screening". The policy also requires that all inmates receive a comprehensive health examination within 14 days of incarceration. Per interviews with the intake and classification staff, all inmates who reported prior sexual victimization during the initial PREA screening are provided information regarding services available and contact information. Medical staff during interviews also indicated inmate victims are offered mental health services during the comprehensive health exam. The referrals are documented in the medical assessment records.

Policy 507 states, "Information obtained from the use of the screening instrument or during inmate interviews is considered confidential and is to be used solely to assist in determining appropriate classification, program and housing assignments." The PREA Coordinator confirmed this practice during an interview.

Policy 606 states, "The health authority or mental health staff shall obtain informed consent from inmates before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the inmate is under the age of 18. During the onsite phase of the audit, the auditor met with the medical staff. They stated that all medical and mental health staff obtains informed consent from inmates. They all understand the requirement to disclose to inmates the needs of the facility and the reasoning behind such disclosures.

**Conclusion**

Based on the review of policies, practice, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.



<b>115.82</b>	<b>Access to emergency medical and mental health services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Sheriff's Office Policy 708- Health Appraisals</li> <li>• Interviews with: <ul style="list-style-type: none"> <li>Jail Administrator</li> <li>PREA Coordinator</li> <li>Medical staff</li> <li>Random staff</li> </ul> </li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 states, "Inmates who are victims of sexual abuse shall be transported to the nearest appropriate location for treatment of injuries and collection of evidence, and for crisis intervention services. Depending on the severity of the injuries, transportation may occur by a staff member or by ambulance, in either case with appropriate security to protect the staff, the inmate, and the public, and to prevent escape." During the onsite phase of the audit, the auditor interviewed the medical services director. Information was provided regarding the services available for sexual abuse victims but indicated victims are usually transported to a local hospital. Each inmate, however, is immediately evaluated for the need to receive emergent medical care. Forensic examinations are provided at a local hospital.</p> <p>Policy 606 requires first responders request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals. During an interview with the medical staff, they indicated inmate victims would be transported to a local hospital for services. Interviews with random staff confirmed staff were aware of the step to take regarding a sexual abuse incident including medical care.</p> <p>Policy 606 indicates that inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. During interviews with medical staff, they stated the services noted in this provision would be provided as part of the forensic examination.at a local hospital. The medical services director confirmed that medical would receive a treatment plan from the hospital and would follow that plan to ensure the health and safety of the inmate. The auditor reviewed PREA investigative files from the past 12 months. There were no investigations that contained an allegation of sexual abuse that led to the need for a forensic examination of any inmate. Also, there were no allegations of physical contact that</p>

	<p>could have led to sexually transmitted infections or pregnancy.</p> <p>Policy 606 requires that all inmates who are victims of sexual abuse or sexual assault in the facility will be provided medical and mental health services at no cost to the victim. The policy does not require that the victim participate in the investigation. Through interviews with the PREA Coordinator, the auditor learned that all inmate victims will receive these services at no cost.</p> <p><b>Conclusion</b></p> <p>Based on the review of policy, practice, documentation and interviews, the auditor finds the facility compliant with all provisions of this Standard.</p>
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<b>115.83</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Sheriff's Office Policy 708- Health Appraisals</li> <li>• Special Needs Placement Directive</li> <li>• Medical Assessment records</li> <li>• Interviews with: <ul style="list-style-type: none"> <li>Jail Administrator</li> <li>PREA Coordinator</li> <li>Medical Staff</li> </ul> </li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policies 606 and 708 provided information regarding the facility's medical and mental health policies, procedures and available inmate services. Medical and mental health services are available to all inmates. During the onsite phase of the audit, the auditor confirmed through interviews with the medical staff, that inmates who report prior victimization are provided services, treatment and counseling by medical and/or mental health staff. The auditor reviewed PREA investigative files from the past 12 months. There were no investigations that contained an allegation of sexual abuse that led to the need for a forensic examination of any inmate. Also, there were no allegations of physical contact that could have led to a pregnancy.</p> <p>Policy 606 states, "Victims shall be provided with follow-up services, treatment plans and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities or their release from custody. The auditor interviewed the medical staff during the onsite phase of the audit and confirmed that the facility works with community healthcare providers for follow-up and treatment of inmates.</p>

	<p>Policy 606 states, "Treatment services consistent with the community level of care shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident." During the onsite phase of the audit, the auditor met with medical staff and they indicated that all inmates do receive care and services that are consistent with what is available in the community.</p> <p>Policy 606 states, "Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy related medical. This shall be done in a timely manner. The auditor interviewed the medical services director and confirmed this policy. There were no medical records available for an inmate who was victimized in the facility that could be reviewed by the auditor.</p> <p>Policy 606 addresses and indicates provisions shall be made for testing the victim for sexually transmitted diseases. Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections and follow-up treatment for sexually transmitted diseases. This shall be done in a timely manner. Medical staff confirmed that any inmate victim would be offered tests for sexually transmitted infections.</p> <p>Policy 600 states, "Treatment services consistent with the community level of care shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. The medical staff confirmed this is the practice they follow. Cass County Jail is not a prison and provision (H) does not apply.</p> <p><b>Conclusion</b></p> <p>Based on the review of policy, practice, interviews and analysis, the auditor finds the facility compliant with all provisions of this Standard.</p>
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<b>115.86</b>	<p><b>Sexual abuse incident reviews</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• PREA Investigative reports</li> <li>• Sexual Abuse Incident Review reports</li> <li>• Interviews with: Jail Administrator PREA Coordinator</li> </ul>
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**Analysis/Reasoning**

Policy 606 states, "An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors, investigators and qualified health care and or mental health professionals, as appropriate:

- (a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect or respond to sexual abuse.
- (b) 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.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.
- (d) Assess the adequacy of staffing levels in the area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- (f) Prepare a written report of the team’s findings, including, but not limited to, determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement.

The report should be submitted to the Sheriff and the PREA coordinator. The Jail Administrator or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so."

There no administrative investigations required within the past 12 months. None occurred since the last audit (allegations as of 1/20/20). Examples of prior investigations are available.

Policy 606 contains language that an incident review is to be completed within 30 days of the completion of every sexual abuse or sexual harassment investigation, unless the allegation was unfounded. There were zero (0) allegations of sexual abuse with a finding of substantiated or unsubstantiated in the past 12 months.

**Conclusion**

Based on review of policy, investigative reports, incident review reports, interviews and analysis, the auditor finds the facility in compliance with all provisions of this Standard.

<b>115.87</b>	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Annual PREA Report</li> <li>• Automated online software system to used to collect data</li> <li>• 2018 Survey of Sexual Violence (SSV) Report</li> <li>• Sexual Abuse Incident Review reports</li> <li>• Interviews with: Jail Administrator</li> </ul> <p><b>Analysis/Reasoning</b></p> <p>Policy 606 includes a section entitled Data Reviews. This section outlines the agency and facility guidelines for the collection of data from the facility’s sexual abuse and sexual harassment allegations. The data collection is through a standardized instrument utilizing an online software. The auditor was provided a copy of the facility’s annual report for 2022. The set of definitions utilized for the data collection and listed in the report are in line with the definitions listed on the Survey of Sexual Violence conducted by the Department of Justice (DOJ).</p> <p>Per policy 606, the Agency collects data regarding the sexual abuse incidents in the facility and aggregates it for an annual report. The facility provided the auditor with a copy of the facility’s annual reports from 2020, 2021 and the 2022.</p> <p>Policy 606 requires that the agency collect data from all available incident reports and documents, investigation files and sexual abuse incident reviews. The agency completes the Survey of Sexual Violence (SSV) when the request is received from the Department of Justice.</p> <p><b>Conclusion</b></p> <p>Based on the review of policy, reports, documentation, interview and analysis, the auditor finds the facility compliant with all provisions of this Standard.</p>
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<b>115.88</b>	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Annual PREA Report</li> <li>• Sexual Abuse Incident Review reports</li> <li>• Agency website</li> <li>• Interviews with: Jail Administrator</li> </ul>

	<p><b>Analysis/Reasoning</b></p> <p>Policy 606 outlines the agency’s annual data collection and review of the data The policy states that the purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training by:</p> <p>(a) Identifying problem areas.  (b) Identifying corrective actions taken.  (c) Recommending corrective actions.  (d) Comparing current annual data and corrective actions with those from prior years.  (e) Assessing the office’s progress in addressing sexual abuse.</p> <p>The auditor reviewed the agency’s annual reports for 2022 and confirmed that the reports contain information related to this provision. The auditor interviewed the Jail Administrator during the onsite phase of the audit. He confirmed that the agency reviews annual data to determine if there is a need to take corrective action to prevent additional sexual abuse incidents.</p> <p>The auditor reviewed the agency’s annual reports for 2022 and confirmed that the reports contain information related to this (b) provision. The report included a comparison of the current year’s sexual abuse incident data and corrective actions with those from prior years.</p> <p>The auditor reviewed the agency’s website and found the agency’s annual report posted. The auditor reviewed the 2022 annual report and did not identify any information that personally identified any inmate. The Jail Administrator confirmed that any reports written and posted to their website would only contain unidentified information regarding aggregated sexual abuse data.</p> <p><b>Conclusion</b></p> <p>Based on the review of policy, reports, agency website, interview and analysis, the auditor finds the facility in compliance with all provisions of this Standard.</p>
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<b>115.89</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Cass County Sheriff's Office Policy 606- Prison Rape Elimination Act</li> <li>• Cass County Annual PREA Report</li> <li>• Agency website</li> <li>• Interviews with: Jail Administrator</li> </ul>

	<p><b>Analysis/Reasoning</b></p> <p>Policy 606 includes language regarding the retention of sexual abuse data. The policy states, "All case records and reports associated with a claim of sexual abuse and sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post release treatment or counseling, shall be retained in accordance with confidentiality laws. The auditor interviewed the Jail Administrator. He provided the auditor an overview of the automated online system that is used to collect and store data and views and reports it can generate. The system is password protected and only the Jail Administrator, PREA Coordinator and Investigator have access.</p> <p>Policy 606 requires the agency to make all aggregated sexual abuse data available to the public at least annually through the agency website. The auditor reviewed the agency's website and found the agency's annual report posted.</p> <p>The auditor reviewed the 2022 annual report and did not identify any information that personally identified any inmate. The Jail Administrator confirmed that any reports written and posted to their website would only contain unidentified information regarding aggregated sexual abuse data.</p> <p>The facility includes language regarding the retention of sexual abuse data in Policy 606. The policy mandates all data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law requires otherwise. During the onsite phase of the audit, the auditor interviewed the Jail Administrator and he confirmed the sexual abuse data is secured and maintained for at least 10 years.</p> <p><b>Conclusion</b></p> <p>Based on the review of policy, agency website, reports, interviews and analysis, the auditor finds the facility in compliance with all provisions of this Standard.</p>
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<b>115.401</b>	<b>Frequency and scope of audits</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Final PREA Audit Report dated May 6, 2020</li> <li>• Agency Website</li> <li>• Interviews with: Jail Administrator</li> </ul>

	<p><b>Analysis/Reasoning:</b></p> <p>The last audit of the Cass County Jail was completed in 2020. The audit report is posted on the agency’s website and available for public review. The Cass County Jail is the only facility operated by the Cass County Sheriff’s Office.</p> <p>During the onsite phase of the audit, the auditor was given the opportunity to complete a full site review. This included full access to all areas of the facility, so the auditor could assess all operations and talk with staff and inmates.</p> <p>During the onsite phase of the audit, the auditor was provided with all documentation requested in order to properly review and verify all operations related to the PREA standards.</p> <p>The facility posted the required audit notice in every housing unit, printed in English and Spanish on April 2023. The notices were also seen in public areas throughout the facility, in the public lobby and in the visitation room. The audit notice included the auditor’s contact information and explained the process to send confidential information or correspondence.</p> <p><b>Conclusion</b></p> <p>Based on review of documents, Pictures of audit notices posted, Agency website, interviews and analysis, the auditor finds the facility compliant with all provisions of the Standard.</p>
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<b>115.403</b>	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <ul style="list-style-type: none"> <li>• Cass County Jail Completed Pre-Audit Questionnaire (PAQ)</li> <li>• Final PREA Audit Report dated May 6, 2020</li> <li>• Agency Website</li> <li>• Interviews with: Jail Administrator</li> </ul> <p><b>Analysis/Reasoning:</b></p> <p>The auditor was provided information in the PAQ regarding the facility’s first PREA audit. Their first audit was completed in October 2016 and the second audit May 6, 2020. The audit report is posted on the agency’s website and available for public review. The Cass County Jail is the only facility operated by the Cass County Sheriff’s Office. The auditor confirmed with the Jail Administrator that the 2020 audit is their second completed PREA audit.</p>



	<p><b>Conclusion</b></p>
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Based on the review of previous report, interview and analysis, the auditor finds the facility in compliance with this Standard.

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

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

	consideration: Any applicable State or local laws, regulations, or standards?	
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	na
<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

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

	facility does not have female inmates.)	
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes
<b>115.15 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
<b>115.15 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
<b>115.15 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
<b>115.16 (b)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
<b>115.17 (a)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who	yes



	may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
<b>115.17 (b)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
<b>115.17 (c)</b>	<b>Hiring and promotion decisions</b>	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
<b>115.17 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

<b>115.17 (e)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	

	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes

	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	na
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	

	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
<b>115.31 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes

	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
<b>115.31 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes
<b>115.31 (c)</b>	<b>Employee training</b>	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<b>Volunteer and contractor training</b>	

	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
<b>115.32 (b)</b>	<b>Volunteer and contractor training</b>	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
<b>115.32 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.33 (a)</b>	<b>Inmate education</b>	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
<b>115.33 (b)</b>	<b>Inmate education</b>	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
<b>115.33 (c)</b>	<b>Inmate education</b>	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes

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



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

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

	screening instrument?	
<b>115.41 (d)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10)	yes

	Whether the inmate is detained solely for civil immigration purposes?	
<b>115.41 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
<b>115.41 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
<b>115.41 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
<b>115.41 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
<b>115.41 (i)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive	yes

	information is not exploited to the inmate's detriment by staff or other inmates?	
<b>115.42 (a)</b>	<b>Use of screening information</b>	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
<b>115.42 (b)</b>	<b>Use of screening information</b>	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
<b>115.42 (c)</b>	<b>Use of screening information</b>	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would	yes

	present management or security problems?	
<b>115.42 (d)</b>	<b>Use of screening information</b>	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
<b>115.42 (e)</b>	<b>Use of screening information</b>	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
<b>115.42 (f)</b>	<b>Use of screening information</b>	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
<b>115.42 (g)</b>	<b>Use of screening information</b>	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing	yes

	solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	
<b>115.43 (a)</b>	<b>Protective Custody</b>	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes
<b>115.43 (b)</b>	<b>Protective Custody</b>	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
<b>115.43 (c)</b>	<b>Protective Custody</b>	

	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
<b>115.43 (d) Protective Custody</b>		
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
<b>115.43 (e) Protective Custody</b>		
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
<b>115.51 (a) Inmate reporting</b>		
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
<b>115.51 (b) Inmate reporting</b>		
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain	yes



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

	this standard.)	
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (f)</b>	<b>Exhaustion of administrative remedies</b>	

	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
<b>115.53 (a)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers,	yes

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

	abuse or sexual harassment or retaliation?	
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
<b>115.61 (c)</b>	<b>Staff and agency reporting duties</b>	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
<b>115.61 (d)</b>	<b>Staff and agency reporting duties</b>	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
<b>115.64 (a)</b>	<b>Staff first responder duties</b>	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
<b>115.64 (b)</b>	<b>Staff first responder duties</b>	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
<b>115.65 (a)</b>	<b>Coordinated response</b>	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in	yes

	response to an incident of sexual abuse?	
<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
<b>115.67 (a)</b>	<b>Agency protection against retaliation</b>	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
<b>115.67 (b)</b>	<b>Agency protection against retaliation</b>	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes
<b>115.67 (c)</b>	<b>Agency protection against retaliation</b>	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of	yes

	sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
<b>115.67 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations	yes



	of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
<b>115.71 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
<b>115.71 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
<b>115.71 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes

	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
<b>115.71 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
<b>115.71 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.71 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
<b>115.71 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
<b>115.71 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes

<b>115.73 (b)</b>	<b>Reporting to inmates</b>	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
<b>115.73 (c)</b>	<b>Reporting to inmates</b>	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.73 (d)</b>	<b>Reporting to inmates</b>	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually	yes

	abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	
<b>115.73 (e)</b>	<b>Reporting to inmates</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.76 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.76 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
<b>115.77 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes

	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
<b>115.77 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
<b>115.78 (a)</b>	<b>Disciplinary sanctions for inmates</b>	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
<b>115.78 (b)</b>	<b>Disciplinary sanctions for inmates</b>	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
<b>115.78 (c)</b>	<b>Disciplinary sanctions for inmates</b>	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
<b>115.78 (d)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish	yes

	evidence sufficient to substantiate the allegation?	
<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	na
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	na
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior	yes

	sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	
<b>115.82 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
<b>115.82 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse</b>	

	<b>victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.83 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na



<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

<b>115.87 (a)</b>	<b>Data collection</b>	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.87 (c)</b>	<b>Data collection</b>	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
<b>115.87 (d)</b>	<b>Data collection</b>	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
<b>115.87 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na
<b>115.87 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
<b>115.88 (a)</b>	<b>Data review for corrective action</b>	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant	yes

	to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	
<b>115.88 (b)</b>	<b>Data review for corrective action</b>	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
<b>115.88 (c)</b>	<b>Data review for corrective action</b>	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
<b>115.88 (d)</b>	<b>Data review for corrective action</b>	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
<b>115.89 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
<b>115.89 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.89 (d)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	

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

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