

# PREA Facility Audit Report: Final

**Name of Facility:** Miami Correctional Facility

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** 05/14/2021

**Date Final Report Submitted:** 07/27/2021

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
<b>Auditor Full Name as Signed:</b> `SONYA LOVE	<b>Date of Signature:</b> 07/27/2021

AUDITOR INFORMATION	
<b>Auditor name:</b>	Love, Sonya
<b>Email:</b>	sonya.love57@outlook.com
<b>Start Date of On-Site Audit:</b>	03/22/2021
<b>End Date of On-Site Audit:</b>	03/24/2021

FACILITY INFORMATION	
<b>Facility name:</b>	Miami Correctional Facility
<b>Facility physical address:</b>	3038 W. 850 S. , Bunker Hill, Indiana - 46914
<b>Facility Phone</b>	
<b>Facility mailing address:</b>	

Primary Contact	
<b>Name:</b>	Jacqueline Scaife
<b>Email Address:</b>	jscaife@idoc.in.gov
<b>Telephone Number:</b>	765-689-8920 ext 551

Warden/Jail Administrator/Sheriff/Director	
<b>Name:</b>	William Hyatte
<b>Email Address:</b>	wrhyatte@idoc.in.gov
<b>Telephone Number:</b>	765-689-8920

Facility PREA Compliance Manager	
<b>Name:</b>	Jacqueline Scaife
<b>Email Address:</b>	jscaife@idoc.in.gov
<b>Telephone Number:</b>	O: (765) 689-8920

Facility Health Service Administrator On-site	
<b>Name:</b>	Lee Ann Ivers
<b>Email Address:</b>	lee.ivers@idoc.in.gov
<b>Telephone Number:</b>	765-689-8920 ext 533

Facility Characteristics	
<b>Designed facility capacity:</b>	3392
<b>Current population of facility:</b>	2112
<b>Average daily population for the past 12 months:</b>	3080
<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>	Males
<b>Age range of population:</b>	18 and up
<b>Facility security levels/inmate custody levels:</b>	1-4
<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>	444
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	102
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	0

AGENCY INFORMATION	
<b>Name of agency:</b>	Indiana Department of Correction
<b>Governing authority or parent agency (if applicable):</b>	State of Indiana
<b>Physical Address:</b>	302 W Washington St., IGCS, RM E334, Indianapolis, Indiana - 46204
<b>Mailing Address:</b>	
<b>Telephone number:</b>	317-232-5711

Agency Chief Executive Officer Information:	
<b>Name:</b>	Robert Carter
<b>Email Address:</b>	rocarter1@idoc.in.gov
<b>Telephone Number:</b>	317-232-5711

Agency-Wide PREA Coordinator Information			
<b>Name:</b>	Bryan Pearson	<b>Email Address:</b>	bpearson@idoc.in.gov

## AUDIT FINDINGS

### **Narrative:**

The auditor's description of the audit methodology should include a detailed description of the following processes during the pre-audit, on-site audit, and post-audit phases: documents and files reviewed, discussions and types of interviews conducted, number of days spent on-site, observations made during the site-review, and a detailed description of any follow-up work conducted during the post-audit phase. The narrative should describe the techniques the auditor used to sample documentation and select interviewees, and the auditor's process for the site review.

The Auditor used a data triangulated model to confirm PREA compliance with each standard and substandard. The triangulation model compares, and contrast two or more data points obtained from different sources to confirm PREA compliance. Using a data triangulation or cross examination model provides the Auditor with a dual method or in some cases a three-way method to confirm data obtained from multiple sources regarding a standard. Ideally, the triangulated model enhances reliability of data collected and analyzed about a specific facility or agency's overall compliance with the Prison Rape Elimination Act (PREA).

To gain compliance a facility was required to meet each standard. To meet each standard. The Auditor relied upon several factors to determine compliance such as: Resident interviews (random and targeted), the facility tour, staff interviews (random and specialized) (contractor and agency staff) and documented evidence of compliance with an applicable standard. The number of residents interviewed was determined by the required inmate interviews, Table 1. Required Number of Inmate Interviews.

### **PREA Related Information**

The Prison Rape Elimination Act (PREA) is a federal law to guide correctional institutions about detecting, preventing, reducing, and punishing sexual abuse/misconduct in confinement settings. IDOC policy confirmed that the agency has a zero-tolerance policy for any sexual behavior, sexual harassment, or sexual misconduct of inmate-on-inmate or staff-on-inmate. Staff includes employee, volunteer, official visitor, or contract staff.

### **Audit Notice Posting:**

During the pre-onsite audit phase, Anoka post the required PREA Audit Notice of the upcoming audit six-weeks prior to the on-site visit to allow residents to send confidential communications to the Auditor prior to the onsite visit of March 22-24, 2021. Miami provided the Auditor with a photo verification of the posting on 2/8/21. The Auditor also verified through interviews that Miami posted the notices in accordance with PREA standards. Prior to the onsite audit there were no communications from Miami residents or staff.

### **Pre-Audit Questionnaire (PAQ):**

In preparation for the upcoming audit process, email correspondence occurred with the agency PREA Coordinator. The Pre-Audit Questionnaire was completed by the facility and uploaded to the PREA Resource Center's electronic audit reporting platform.

The audit process began with a documentation review using the Pre-Audit Questionnaire (PAQ), an internet review, applicable agency and facility policy and procedure review. Phone calls and email were exchanged between the agency administration the PREA Coordinator and the facility PREA Compliance Manager.

The following documentation was requested for on-site visit:

- Resident roster
- Youthful resident roster, if any (none)
- List of residents with Disabilities
- List of residents who are Limited English Proficient (LEP)
- List of LGBTI residents
- List of residents in segregated housing (PREA Related), If applicable
- List of residents who reported sexual abuse
- List residents who reported sexual victimization during risk screening
- Staff roster (100%)
- List of specialized staff
- Staff Personnel (background training, criminal background checks, specialized training verification)
- Resident documentations (resident education, screening information, specialized referral etc.)

- Contractors who have contact with residents (if any)
- Volunteers who have contact with residents (if any) (none) Covid-19
- PREA screening
- PREA reassessments
- Allegations of sexual abuse and sexual harassment reported for investigation in the 12 months to be uploaded to cloud platform for review
- All hotline calls made during the 12 months
- A summary of all incidents within the past 12 months (log)
- Verification of unannounced rounds

#### **Pre-audit preparation**

The standards used for this audit became effective August 20, 2012. An internet search confirmed that Miami Correctional Facility 2017 final PREA report was posted on the agency and facility website on December 2017. Further, in reviewing the IDOC website the Auditor found the following PREA related information:

#### **IDOC SEXUAL ABUSE AND SEXUAL HARASSMENT REPORTS**

To report an incident of sexual abuse or sexual harassment on behalf of an inmate family and friends can call (877) 385-5877 or email IDOCPREA@idoc.in.gov.

#### **IDOC SURVEY of SEXUAL VIOLENCE REPORTS**

- Survey of Sexual Victimization Reports, 2011-2019

#### **IDOC AGENCY ANNUAL REPORT**

Annual reports, 2013-2020

#### **Indiana Ombudsman Bureau**

The IDOC Indiana Ombudsman Bureau was created by the legislature in the fall of 2003. Per IC 4-131.2-1 through 4-13-1.2-12. The Bureau is charged with the responsibility of receiving, investigating, and attempting to resolve complaints from offenders housed in DOC facilities or offenders' family members that the DOC accuses of violating a specific law, rule, department written policy or endangered the health or safety of a person. The director of the bureau was appointed by the Governor in May 2005. The Ombudsman Bureau reviews complaints from inmates across the state and provides recommendations to the IDOC for resolution. The Ombudsman Bureau completes a monthly report of substantiated complaints which includes an overview of monthly activity and any follow-up if necessary. The Auditor found an unrelated PREA complaint dated November 2018 from an inmate at Indiana State Prison, regarding classification. A review of monthly Department of Corrections monthly reports terminate in 2019. On 5/14/2021 the Auditor requested via email an Annual Report for year 2020 and monthly reports for year 2020.

The notifications of the audit were posted in the facility at least six weeks prior to the on-site audit; photographs were taken and submitted to the Auditor. The facility completed the Pre-Audit Questionnaire and uploaded with supporting documentation. Correspondence with the PREA Coordinator and PREA Compliance Manager took place throughout the audit process. The Auditor was provided access to all PREA related documents and files.

#### **Entrance Briefing and Tour (On-site Audit and Telephonic Interviews)- First day**

On March 2, 2020, the Auditor conducted telephonic interviews with administrative staff. Telephonic interviews were conducted in closed office space to protect privacy, out of an abundance of caution due to the Corona virus pandemic and active quarantines in place. The audit began on March 22, 2021. The on-site portion of the audit was conducted by Sonya Love, certified PREA Auditor. A meeting took place with management staff to outline the auditor's sampling strategy, logistics for the facility tour, the interview schedule and to discuss the need to review additional directives, policies, and supplemental documents. The Auditor Sonya Love was provided a private room in which to work and interview staff and inmates.

## AUDIT FINDINGS

### Facility Characteristics:

The auditor's description of the audited facility should include details about the facility type, demographics and size of the inmate or resident population, numbers and type of staff positions, configuration and layout of the facility, numbers of housing units, description of housing units including any special housing units, a description of programs and services, including food service and recreation. The auditor should describe how these details are relevant to PREA implementation and compliance.

### NARRATIVE

Miami Correctional Facility is located at 3038 West 850 South, Bunker Hill, Indiana, 46914. The facility is being audited by Diversified Consultants, certified PREA Auditor, Sonya Love. Following telephone and email communication with the agency PREA Coordinator and facility PREA Compliance Manager, review of documents using the Synciplicity virtual platform began prior to onsite portion of the audit. The audit team included NikkiTucker. Her role was limited to administrative review of this document for clarity, conciseness, grammar, spelling, formality, punctuation, and vocabulary, gathering data, internet searches, logistics and interview scheduling.

On day one of the audit the population was 1959 with a designated population of 3188. Zero volunteer were allowed in the facility in the past 12 month period due to the pandemic. Zero youthful inmates under 18. The population age demographic of inmate placed at Miami is between 18-80. Miami has 35 buildings and 1 single cell housing unit. Mutiple cell housing units number 14. The number of open bays housing units nember 1. Administrative segregation cell for purposes of administrative or disciplinary segregation number 100. During the onsite portion of the audit Miami held 1 inmate in segregation for PREA related reasons. The Auditor interviewed the inmate. He has two pending PREA investigations and fears for his safety in genegal population. The same inmate has a pending request for transfer that has been approved according to the PREA Coordinator. Concerns regarding the same inmates safety was voice by the inmate's mother. Miami took steps to protect inmates safety after the mother on the inmate contacted the Auditor by telephone. The Auditor noted programs and services to include food service, recreation, medical, the placement and coverage of surveillance cameras, identified potential blind spots, inspected bathrooms, showers and strip search areas to identify potential cross gender viewing and sexual victimization concerns.

**AUDIT FINDINGS****Summary of Audit Findings:**

The OAS will automatically calculate the number of standards exceeded, number of standards met, and the number of standards not met based on the auditor's compliance determinations. If relevant, the auditor should provide the list of standards exceeded and/or the list of standards not met (e.g. Standards Exceeded: 115.xx, 115.xx..., Standards Not Met: 115.yy, 115.yy ). 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.

<b>Number of standards exceeded:</b>	0
<b>Number of standards met:</b>	40
<b>Number of standards not met:</b>	0
<b>Not audited at the facility level:</b> Audited at the agency-level, and not relevant to the facility-level audit because the facility has no independent responsibility for the operation of these standards.	5

See each standard to review compliance issues. Some standards required a corrective action and compliance will be determined by completion of the corrective action.

37 Met

3 Not met pending completion of the corrective action

5 Not audited at the facility

## Standards

### Auditor Overall Determination Definitions

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

### Auditor Discussion Instructions

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



<b>115.11</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1474 365">IDOC Policy 02-02-115 (Sexual Abuse Prevention) established that the agency has a written policy. Indiana Department of Corrections (IDOC) has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment outlined in Policy 02-01-115.</p> <p data-bbox="240 398 1474 557">A review of the organization chart and memo identifies that a PREA Coordinator and Compliance Manager were designated by the agency, Indiana Department of Corrections (IDOC). Moreover, Indiana Department of Correction has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment that is outlined in Policy 02-01-115, Sexual Abuse Prevention. The Sexual Abuse Prevention Policy details the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment allegations. The agency has designated a statewide PREA Coordinator.</p> <p data-bbox="240 622 1474 748">The Executive Director of PREA/PREA Coordinator is a positioned in the upper level of the IDOC hierarchy. During his interview, the PREA Coordinator confirmed having sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all its facilities. Moreover, the interview also confirmed that the PREA Coordinator was highly organized and extremely knowledgeable of the requirements for PREA.</p> <p data-bbox="240 781 1474 1070">A review of the Miami organizational chart and a memo from the Warden verifies that Miami Correctional Facility has designated a PREA Compliance Manager (PCM). The PREA Compliance Manager is the Deputy Warden. The Auditor interviewed the newly appointed PCM. The PCM confirmed that she had sufficient time to oversee the PREA initiative at Miami and oversee its efforts to comply with PREA standards. The Auditor found the PREA Compliance Manager eager regarding her new role and willing to develop, implement, and oversee Miami efforts to comply with the Prison Rape Elimination Act (PREA) standards. As mentioned above, the PCM serves dual roles in the facility as a newly appointed Deputy Warden and as the facility PREA Compliance Manager. Each role is critical to ensuring the sexual safety of staff and inmates. The Deputy Warden reports directly to the facility Warden. Miami Correctional Facility met the requirements of Standard 115.11.</p> <p data-bbox="240 1104 810 1131"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1160 1289 1592" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Miami Correctional Facility Memo: PREA Compliance Manager</li> <li>• Organizational Chart</li> <li>• Interview with the Warden</li> <li>• Memorandum: From the Warden naming a new PREA Compliance Manager dated January 4, 2021</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the PREA Compliance Manager</li> </ul> <p data-bbox="240 1653 260 1680">[</p>

115.12	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>
	Miami mets the requirement of this standard.

115.13	<b>Supervision and monitoring</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1485 398">Policy 02-01-115 (Sexual Abuse Prevention) addresses Standard 115.13. More, IDOC Policy 02-02-115 (Sexual Abuse Prevention) established that the agency has a written policy. Indiana Department of Corrections (IDOC) has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment outlined in Policy 02-01-115. Miami has a documented staffing plan.</p> <p data-bbox="242 488 1485 779">The Auditor interviewed the facility Warden during the onsite portion of the audit. The PREA Compliance Manager provided an updated staffing plan that documents at least once every year the agency or facility, in collaboration with the agency's PREA Coordinator, reviewed the staffing plans to see whether adjustments are needed. Miami in consultation with the agency PREA Coordinator assessed, determined, and documented whether adjustments were needed on January 28, 2021. The PREA Coordinator during his interview confirmed receipt and review of the Miami staffing plan. On its face. The staffing plan provides for adequate levels of staff to protect inmates against sexual abuse. Considerations in the development of the staffing plan included: Calculating adequate staffing levels, determining the need for additional video monitoring devices, any findings of inadequacy from internal or external oversight bodies, the design of the facility, blind spots, the prevalence of substantiated[SL1] and unsubstantiated incidents of sexual abuse and any other relevant factors.</p> <p data-bbox="242 869 1485 996">IDOC has implemented a policy of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. Unannounced rounds were documented in various locations, the Miami General Housing Daily Logbook and using an electronic form of documentation, the Daily Shift Report submitted in an inter-departmental memo to the Deputy Warden of Operations and the facility Major, Custody Supervisor.</p> <p data-bbox="242 1025 1485 1153">The facility operates 24 hours per day on twelve-hour (12) hour shifts. Random unannounced rounds were selected and reviewed by the Auditor. From documents provided for examination the Auditor determined that intermediate-level or higher-level supervisors were on duty, they conducted PREA unannounced tours and notated the time of each round. Miami meets the requirements of Standard 115.13 (d) and Standard 115.13.</p> <p data-bbox="242 1182 810 1211"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="242 1240 1283 2130" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Miami Correctional Facility Memo – PREA Standard 115.13 c-1</li> <li>• Miami Correctional Facility Master Shift Roster dated 1/28/2021</li> <li>• Miami Correctional Facility 18-month Vacancy Rate Report dated 1/28/2021</li> <li>• Miami Correctional Facility Vacancy Report Breakdown</li> <li>• Miami Correctional Facility Organization Chart</li> <li>• Miami Correctional Facility 2020 Facility Staffing Plan Review 1/28/2021</li> <li>• Miami Correctional Facility Average Vacancy Report, dated 1/28/2021</li> <li>• Auditor review of unannounced rounds, dated January 18, 2021 from J Bracket, Captain Pickens</li> <li>• Auditor review of unannounced, dated December 11, 2020 from J Bracket, Captain Pickens</li> <li>• Auditor review of unannounced, dated, January 18, 2021 from H Bracket, Lt Durr</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Interview with staff who conduct unannounced rounds</li> <li>• Interview with the Warden</li> </ul>

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<b>115.14</b>	<b>Youthful inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="229 192 1509 255"><b>Auditor Discussion</b></p> <p data-bbox="229 255 1509 344">Miami Correctional Facility does not house youthful offenders. Miami Correctional Facility met the requirements of Standard 115.14.</p> <p data-bbox="229 412 1509 456"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="229 456 1509 864" style="list-style-type: none"> <li data-bbox="229 456 1509 501">• Pre-Audit Questionnaire</li> <li data-bbox="229 501 1509 546">• Policy 01-04-102 (Classification Assignments for Youth Incarcerated as Adults and Alternatively Sentenced Youth)</li> <li data-bbox="229 546 1509 591">• Miami Correctional Facility Memo: PREA Standard 115.14</li> <li data-bbox="229 591 1509 636">• Interview with the PREA Coordinator</li> <li data-bbox="229 636 1509 680">• Interview with the PREA Compliance Manager</li> <li data-bbox="229 680 1509 725">• Facility tour</li> <li data-bbox="229 725 1509 770">• Inmate roster by living units</li> </ul>

115.15	<b>Limits to cross-gender viewing and searches</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1497 333">Policy 02-03-101 (Searches and Shakedowns) and Policy 02-10-1118 (Transgender and Intersex Offenders) and Policy 02-1-115 (Sexual Abuse Prevention) all address the requirements in Standard 115.15.</p> <p data-bbox="242 362 1485 591">Miami is a male correctional facility. Policy 02-03-101 and 02-1-115 indicate that "...except during an emergency as declared by the Warden or designee, a strip search must afford the offender reasonable privacy and shall be conducted by staff of the same gender. Opposite gender strip searches of an offender shall not be conducted unless the opposite gender staff member, in his/her professional judgment, has reasonable cause to believe that a delay in retrieving possible prohibited property would jeopardize the safety, order, and/or security of the facility[SL1] . If a strip search is conducted by an opposite gender staff member, the strip search shall be documented on an Incident Report and submitted to the Custody Supervisor or designee."</p> <p data-bbox="242 620 1461 815">Random staff sampled during this audit were able to describe the facility requirements for opposite gender versus same gender searches. There were twelve (12) random staff interviews conducted. Twelve (12) random staff training files were examined to confirm that all staff sampled received training on the facility policy that does not allow cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat down searches be conducted except in exigent circumstances or by a medical practitioner. Further, random staff sampled provided the Auditor with specific examples of what would represent an exigent circumstance.</p> <p data-bbox="242 844 1477 1005">The PREA Coordinator provided the Auditor with the training curriculum for adult PAT Searches which included training custody staff on 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. Further, inclusive in the same training curriculum is a module for training custody staff 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.</p> <p data-bbox="242 1034 1477 1162">During her interview, the PREA Compliance Manager confirmed that Miami Correctional Facility had zero (0) occurrences of cross-gender strip searches or visual body cavity searches within the last twelve months as indicated in the PAQ. Inmates interview with random and targeted inmates sampled during the onsite portion of this audit. Miami Correctional Facility met the requirements of Standard 115.15.</p> <p data-bbox="242 1191 810 1220"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="242 1249 1310 1912" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-1-115 (Sexual Abuse Prevention)</li> <li>• Policy 02-03-101 (Searches and Shakedowns)</li> <li>• Policy 02-01-118 (Transgender and Intersex Offenders)</li> <li>• Miami Correctional Facility Memo: Cross-gender strip searches searches/visual body cavity searches</li> <li>• Interview with the Warden</li> <li>• Skill Search Training</li> <li>• PAT Search Training Curriculum of Adult Male Offender, Opposite Gender Offender Pat Search</li> <li>• Observations of the Auditor during the on-site portion of the audit</li> <li>• Interview with inmates and staff</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the PREA Compliance Manager</li> </ul>

115.16	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1217 297">Policy 02-01-115 (Sexual Abuse Prevention) address the policy requirements of Standard 115.16.</p> <p data-bbox="240 331 1485 456">IDOC takes 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. IDOC has an on-going paid contract that provides inmates with disabilities or who are limited English proficient with any needed assistance. The Auditor noted during the facility tour that Miami displayed PREA education and victim advocacy posters in Spanish and English.</p> <p data-bbox="240 490 1490 616">Miami intake staff and Case Managers sampled during the audit confirmed that PREA education is provided in verbal and written formats. The Auditor determined by examination that IDOC takes 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 of inmates who are limited English proficient (LEP).</p> <p data-bbox="240 649 1474 705">IDOC/Miami Correctional Facility has an on-going contract with a vendor to provide interpretive assistance to aid inmates in communicating effectively who are limited English proficient.</p> <p data-bbox="240 739 1481 864">More, Miami has a contractual agreement with an over-the-phone phone interpretive service. The vendor employs interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. The interpretive service provided by the vendor is available 24 hours a day. The Auditor examined the contractual agreement termed Quality Purchase Agreement (QPA).</p> <p data-bbox="240 898 1485 1088">During random staff interviews (100%) of participants sampled confirmed that they 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. While interviews included bi-lingual inmates, all spoke and understood English without the assistance of an interpretive service. Targeted inmates (100%) sampled confirmed receiving PREA education in a format they understood.</p> <p data-bbox="240 1122 1481 1247">In memos from the facility, Miami confirmed that in the last 12 months they relied on zero (0) inmate interpreters, readers, or other types on inmate assistance involving PREA cases or investigations. During the onsite portion of the audit the Auditor confirmed with the PREA Compliance Manager that statistical data relevant to this standard was unchanged since the development of the PAQ. Miami Correctional Facility met the requirements of Standard 115.16.</p> <p data-bbox="240 1281 810 1308"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1341 1442 2141" style="list-style-type: none"> <li data-bbox="240 1341 536 1368">• Pre-Audit Questionnaire</li> <li data-bbox="240 1402 1442 1458">• Contract (Telephonic and In Person Interpretive Service), translator, Propio LS LLC, Quantity Purchase Agreement (QPA) 2021</li> <li data-bbox="240 1491 738 1518">• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li data-bbox="240 1552 544 1579">• PREA Adult Male Poster</li> <li data-bbox="240 1612 628 1639">• PREA Adult Male Spanish Poster</li> <li data-bbox="240 1673 911 1700">• Spanish version: Indiana Coalition Against Domestic Violence</li> <li data-bbox="240 1733 903 1760">• English version: Indiana Coalition Against Domestic Violence</li> <li data-bbox="240 1794 986 1821">• Spanish version: Third-Party Reporting, Indiana Ombudsman Bureau</li> <li data-bbox="240 1854 978 1881">• English version: Third-Party Reporting, Indiana Ombudsman Bureau</li> <li data-bbox="240 1915 866 1942">• Miami Correctional Facility Memo: Access to interpreters</li> <li data-bbox="240 1975 820 2002">• Miami Correctional Facility Memo: Accommodations</li> <li data-bbox="240 2036 1043 2063">• Miami Correctional Facility Memo: Instruction of how to access a translator</li> <li data-bbox="240 2096 919 2123">• Miami Correctional Facility Memo: PREA Standard 115.16 c-3</li> <li data-bbox="240 2157 943 2184">• Observations of the Auditor during the on-site portion of the audit</li> </ul>

- Interview with inmates (random and targeted)
- Interview with (random and specialized) staff
- Interview with the PREA Coordinator as the designated agency head



115.17	<b>Hiring and promotion decisions</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1469 331">Policy 04-03-102 (Human Resources) and Policy 04-03-103 (Information and Standards of Conduct for Departmental Staff) address the policy requirements of Standard 115.17.</p> <p data-bbox="240 362 1469 555">Policy 04-03-102 (Human Resources) and Policy 04-03-103 (Information and Standards of Conduct for Departmental Staff) prohibit the hiring or promotion of anyone who may have contact with inmates, and prohibits enlisting the services of any contractor who may have contact with inmates, who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997) IDOC policies require criminal background records checks be conducted at least every five years of current employees and contractors who may have contact with inmates.</p> <p data-bbox="240 586 1485 748">An administrative Human Resource Manager (HRM) was interviewed during the audit. The HRM confirmed that the agency prohibits 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. The agency considers material omissions regarding such misconduct, or the provision of materially false information, grounds for termination.</p> <p data-bbox="240 779 1469 940">The PREA Coordinator confirmed during his interview that the agency asks all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this standard. in any interviews or written self-evaluations conducted as part of performance reviews of current employee as described in paragraph (a) of this standard . Furthermore, the PREA Coordinator, the administrative HRM and PREA Compliance Manager both acknowledged that IDOC imposes upon employees a continuing affirmative duty to disclose any such misconduct.</p> <p data-bbox="240 972 1469 1196">The PREA Compliance Manager confirmed that IDOC prohibits the enlistment of services of any contractor/volunteer/staff 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. The PREA Compliance Manager confirmed that Miami has hired 289 employees and 101 contractors in the last 12 months who may have contact with inmates who completed criminal background checks. Volunteerism was suspended in early 2020 due to Covid-19 concerns. The Auditor reviewed a copy of current employee background checks of staff sampled during the onsite portion of the audit. Miami Correctional Facility met the requirements of Standard 115.17.</p> <p data-bbox="240 1227 810 1254"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1285 1090 1832" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 04-03-102 (Human Resources)</li> <li>• Policy 04-03-103 (Information and Standards of Conduct for Departmental Staff)</li> <li>• Policy Discipline Statement, dated August 1, 2012</li> <li>• Review of applicant questionnaire</li> <li>• Criminal background checks Miami Correctional Facility staff</li> <li>• Interviews with staff (random and specialized)</li> <li>• Interview with the administrative Human Resources representative</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the PREA Compliance Manager</li> </ul>

<b>115.18</b>	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="244 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="244 271 1485 465">According to the Pre-Audit Questionnaire (PAQ) Miami has updated and installed an enhanced electronic video monitoring technology. According to the Warden, the purpose and placement of the newly enhanced monitoring technology remains to safeguard the agency's ability to protect inmates from sexual abuse and to eliminate blinds spots in and around the facility. The PREA Compliance Manager confirmed for the Auditor that information contained in the facility memo issued on January 4, 2021, relative to this standard is unchanged. Miami has over 600 cameras deployed throughout the facility. Miami met the requirements of Standard 115.18.</p> <p data-bbox="244 499 810 526"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="244 555 1177 869" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Miami Correctional Facility Memo: PREA Standard 115.18 a &amp; b, dated January 4, 2021</li> <li>• Observations of the Auditor during the on-site tour</li> <li>• Interviews with the PREA Compliance Manager</li> <li>• Interview with the PREA Coordinator/designated agency head</li> <li>• Interview with the Warden</li> </ul>

115.21	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1442 297">Policy 02-01-115, Sexual Abuse Prevention and Policy 00-01-103, Investigations and Intelligence address this standard.</p> <p data-bbox="240 331 1485 488">IDOC is responsible for investigating allegations of sexual abuse. It should be mentioned that Miami houses no youthful inmates. Miami is an adult male facility. The facility is responsible for investigating administrative sexual harassment allegations. IDOC Intelligence and Investigations conducts sexual abuse allegation for the agency. When necessary, Miami would notify the Indiana State Police liaison of a sexual assault to request assistance and consult with local prosecutors if there is a potential criminal violation.</p> <p data-bbox="240 521 1477 647">The PREA investigator interviewed during the audit confirmed that the agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecution. The protocol adopted by IDOC, as appropriate, was adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on</p> <p data-bbox="240 680 1334 739">Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.</p> <p data-bbox="240 772 1485 929">Indiana Code (IC) 11-10-3-5, Co-payment requirements; exceptions. IC 11-10-3-5 outlines circumstances when an inmate is not required to pay for medical services such as (1) the service is provided in an emergency; (2) the service is provided because of an injury received in the correctional facility; or (3) the service is provided at the request of the administrator of a correctional facility. The agency offers all inmates who experience sexual abuse access to forensic medical examinations offsite, without financial cost, where evidentiary or medically appropriate.</p> <p data-bbox="240 963 1490 1155">The agency and by extension Miami Correctional Facility offers victims of sexual abuse a forensic medical examination at an outside hospital, without financial cost, where evidentiarily or medically appropriate. The Auditor determined compliance with Standard 115.21 (c) by examining PREA investigative incident reports of sexual abuse (twenty-seven (27)) from the past 12-month period and review of SANE forensic reports of services from at least two local medical providers, Saint Vincent's Hospital and Eskenazi Health. It should be noted, in some instances the victim declined a forensic examination at the hospital or declined to be transported for a forensic examination after being granted a housing change.</p> <p data-bbox="240 1189 1461 1346">Inmate victims of sexual abuse that accept the offer of a forensic examination at an outside hospital were accompanied to the hospital by a qualified trained Sexual Assault Response Team member. Miami maintains a list of Sexual Assault Response Team (SART) members for each shift to provide a consistent, coordinated, competent and compassionate response to sexual assault in a IDOC facility, to serve as victim-centered advocates and make victim needs a priority in an incident of sexual abuse, during a forensic examination and throughout the investigatory process.</p> <p data-bbox="240 1379 1433 1473">Due to the pandemic hospital access was limited. IDOC has a contractual agreement with the Indiana Coalition Against Domestic Violence (ICADV) to provide advocacy services to victims of abuse. The Auditor examined a contractual agreement (E-Contract 22593-A5) between ICADV and IDOC. The scope of services provided by ICADV include to:</p> <ol data-bbox="240 1507 1358 1787" style="list-style-type: none"> <li>1. Provide the victim a person they can talk to about what happened to them confidentially for crisis intervention.</li> <li>2. Provide the offender a plan to address the trauma caused by sexual abuse.</li> <li>3. Provide referrals to services that provide ongoing support during and after release and to provide victim advocacy emotional support, crisis intervention, information, and referrals to inmates assigned to IDOC facilities.</li> </ol> <p data-bbox="240 1850 1465 1908">From each living unit any inmate victim of sexual abuse or harassment, may request victim advocacy services from ICADV by:</p> <p data-bbox="240 1942 1485 2000">Calling toll free to the ICADV hotline from the inmate phone system by dialing #66. Inmates are advised from the recording if you get an answering service leave your name, DOC # and facility in the message or writing:</p> <p data-bbox="240 2063 722 2089"><b>Indiana Coalition Against Domestic Violence</b></p> <p data-bbox="240 2123 521 2150">Attn: IDOC Victim Advocate</p>

1915 W. 18th Street, Indianapolis, IN 46202

Random and specialized staff confirmed knowledge of the advocacy contractual agreement for services between IDOC and ICADV. Each inmate was aware by staff during intake where to find additional victim advocacy information on the living units. Specialized staff confirmed that if requested by the victim, Miami would provide a victim advocate, qualified agency staff member, or qualified community-based organization staff member to accompany and support the victim through the forensic medical examination process and investigatory interviews.

Random and targeted inmates interviewed during the audit detailed general information about services provided by a victim advocacy organization for victims of sexual abuse, but they could not provide any specific information for the Auditor. Miami Correctional Facility met the requirements of Standard 115.21.

**Evidence relied upon to make Auditor determination:**

- Pre-Audit Questionnaire
- Memorandum of Understanding with Indiana Coalition Against Domestic Violence
- First Responders Evidence Protocols investigation
- SART Roster
  
- List of medical and mental health employees and copies of certificates of completion of specialized training
  - Internet search: Saint Vincent's Hospital and Eskenazi Health Hospital
  - Interview with an inmate victim of sexual abuse
  - Interviews with staff (random and specialized)
  - Interviews with staff (random and specialized)
  - Interview with the PREA Compliance Manager
  - Interview with the PREA Coordinator

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<b>115.22</b>	<b>Policies to ensure referrals of allegations for investigations</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1477 365">Policy 02-01-115 (Sexual Abuse Prevention) is in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an entity with the legal authority to conduct criminal investigations. The agency documents all referrals for investigation. The policy is available and accessible on the agency's internet website.</p> <p data-bbox="242 396 1477 557">Policy 00-01-103 indicates that the Operation of the Office of Investigations and Intelligence (I and I) investigates allegations of sexual abuse. The Warden designates facility staff to investigate sexual harassment (non-criminal). The agency has a practice that documents all such referrals. More, the agency ensures an administrative or criminal investigation are completed for all allegations of sexual harassment. Some Investigations and Intelligence Investigators have completed advances training requirements at the Policy Academy and are sworn police with the power to arrest.</p> <p data-bbox="242 589 1490 750">The Auditor interviewed a facility investigator who confirmed that Miami documents all investigations to include those referred for criminal prosecution. The facility provided documented evidence of compliance in the form of twenty-seven (27) sexual abuse investigations with findings that occurred during the past 12-month period. In the past 12-month period, the number of allegations of sexual abuse and sexual harassment that they received was one-hundred nineteen (119) with four (4) allegations referred for criminal investigations. Miami Correctional Facility met the requirements of Standard 115.22.</p> <p data-bbox="242 781 810 810"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="242 842 1059 1323" style="list-style-type: none"> <li data-bbox="242 842 536 871">• Pre-Audit Questionnaire</li> <li data-bbox="242 902 738 931">• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li data-bbox="242 963 772 992">• Policy 00-01-103 Investigations and Intelligence</li> <li data-bbox="242 1023 592 1052">• Review of the agency website</li> <li data-bbox="242 1084 571 1113">• Review of investigative files</li> <li data-bbox="242 1144 660 1173">• Interview with the PREA Coordinator</li> <li data-bbox="242 1205 759 1234">• Interview with the PREA Compliance Manager</li> <li data-bbox="242 1265 1059 1294">• Interview with an investigator from the Office of Investigation and Intelligence</li> <li data-bbox="242 1326 596 1355">• Interviews with staff (random)</li> </ul>

<b>115.31</b>	<b>Employee training</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1469 362">Policy 02-01-115, Sexual Abuse Prevention and Policy 01-05-101 Staff Development and Training, the PREA Presentation Guide, Training Records and Training Acknowledgement Sheets collectively address the policy requirement of Standard 115.31.</p> <p data-bbox="240 398 1442 555">The training curriculums provided by the agency is tailored to the needs and attributes of the inmates in the facility. Furthermore, the training curriculum included topics such as: inmates on inmates' right to be free from sexual abuse and sexual harassment, common reactions of sexual abuse and sexual harassment victims, how to avoid inappropriate relationships with inmates, and how to communicate effectively and professionally with inmates, including gay, bisexual, transgender, intersex, or gender nonconforming inmates.</p> <p data-bbox="240 591 1272 618">IDOC has a written acknowledgement that documents on a specific date an employee received training</p> <p data-bbox="240 654 1481 707">(and understand said training) from the Indiana Department of Correction regarding the Prison Rape Elimination Act (PREA) and Department of Correction Policy 02-01-115, Sexual Abuse Prevention.</p> <p data-bbox="240 743 1485 900">Additionally, the employee is issued a copy of the Department of Correction Brochure, Sexual Assault Prevention, and a copy of specific PREA staff brochures and documents relating to sexual abuse prevention and mandatory reporting of sexual abuse and sexual harassment. IDOC provides staff with a comprehensive education on the Prison Rape Elimination Act (PREA) that is apparent in Miami Correctional Facility staff training transcripts, training curriculum, and specialty specific training.</p> <p data-bbox="240 936 1437 1057">Random and specialized training files were sampled for compliance with this standard. All training files reflect that staff received the appropriate training. Those employees requiring refresher training received training yearly. The training curriculums provided by the facility was reviewed by the Auditor. New employees receive PREA education as part of the onboarding process for new employees. Miami Correctional Facility met the requirements of Standard 115.31.</p> <p data-bbox="240 1093 810 1120"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1155 1326 1550" style="list-style-type: none"> <li data-bbox="240 1155 544 1182">• Pre-Audit Questionnaire</li> <li data-bbox="240 1218 738 1245">• Policy 02-11-115 (Sexual Abuse Prevention)</li> <li data-bbox="240 1281 1326 1335">• Indiana Training Plan/On the Job Training Session/Security Skills Evaluations/Learning Plan Transcript/Acknowledgment of Receipt</li> <li data-bbox="240 1370 592 1397">• Auditor review of training files</li> <li data-bbox="240 1433 762 1460">• Auditor review of training curriculum/brochures</li> <li data-bbox="240 1496 496 1523">• Interviews with staff</li> <li data-bbox="240 1559 762 1585">• Interview with the PREA Compliance Manager</li> </ul>

115.32	<p><b>Volunteer and contractor training</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Indiana Department of Corrections ensures 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. In 2020, volunteer services were suspended due to the pandemic virus. The facility currently has zero volunteers and 101 contractors.</p> <p>In 2020, volunteerism was suspended out of an abundance of caution for the Corona virus pandemic. Prior to the suspension of volunteer services, all volunteers and contractors who have contact with inmates were trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention and detection. IDOC has developed a training brochure for sexual abuse prevention and reporting targeting: Staff, Contractors and Volunteer information. The PREA brochure contains topics such as: Types of sexual abuse and sexual harassment, methods for reporting sexual abuse and sexual harassment, crisis intervention, treatment of the crime scene, IDOC zero tolerance policy, prevention and how to recognize signs of sexual assault.</p> <p>The PREA training curriculum provides multi-types of training platforms that are determined based on the services provided by the volunteer or contractor and contact they have with inmates. The curriculum also covers the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informs contractors and volunteers how to report such incidents. Miami Correctional Facility met the requirements of Standard 115.32.</p> <p><b>Evidence relied upon to make Auditor determination:</b></p> <ul style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Indiana Contractor and Volunteer Manual</li> <li>• Sample examination of acknowledgment of receipt of training contractors</li> <li>• Interview with the PREA Compliance Manager</li>   <li>• Interviews with Wexfors contractors</li> </ul>
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<b>115.33</b>	<b>Inmate education</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1485 434">Policy 02-01-115 (Sexual Abuse Prevention) addresses the requirements of Standard 115.33. The agency documents inmate trainings in institutional and clinical files. A total of forty (40) inmate institutional and clinical files were reviewed to verify that inmates received information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment during their intake process. PREA education and information is provided for those inmates who are limited English proficient (LEP), deaf, visually impaired, or otherwise disabled. Inmates sampled were knowledgeable of their rights.</p> <p data-bbox="240 497 1485 591">Within 72 hours of intake, IDOC/Miami provides age-appropriate comprehensive education to inmates in person regarding their rights to be free from sexual abuse and sexual harassment, as well as their rights to be free from retaliation for reporting such incidents. Inmate education also includes a</p> <p data-bbox="240 622 1182 649">PREA video. Educational material is provided in two languages English and Spanish. Inmates</p> <p data-bbox="240 680 1458 739">requiring other languages are communicated through a language-line. This information was verified through the review of forty (40) institutional and applicable clinical files.</p> <p data-bbox="240 770 1485 963">In addition to providing general PREA education to inmates the Miami ensures that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, and electronic tablets. PREA informational posters were displayed in Spanish and English, and they were posted throughout the facility. Inmates sampled all confirmed being educated on the grievance process and PREA. The facility provided a memo confirming in the last twelve (12) months 1010 inmates were admitted to the facility and all received PREA education and information. Miami Correctional Facility met the requirements of Standard 115.33.</p> <p data-bbox="240 994 810 1021"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1052 906 1478" style="list-style-type: none"> <li data-bbox="240 1052 536 1079">• Pre-Audit Questionnaire</li> <li data-bbox="240 1111 738 1137">• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li data-bbox="240 1169 906 1196">• Auditor review of inmate education materials/inmate brochure</li> <li data-bbox="240 1227 603 1254">• Inmate acknowledgment forms</li> <li data-bbox="240 1285 600 1312">• Auditor review of inmate's files</li> <li data-bbox="240 1344 751 1370">• Interviews with staff (random and specialized)</li> <li data-bbox="240 1402 759 1429">• Interviews with inmates (random and targeted)</li> <li data-bbox="240 1460 663 1487">• Interview with the PREA Coordinator</li> </ul>



115.34	<b>Specialized training: Investigations</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1493 398">Policy 02-01-115 (Sexual Abuse Prevention) and Policy 00-01-103 (Office of Investigation and Intelligence) address the IDOC's approach to Standard 115.34. The Office of Investigations is responsible for conducting investigations of alleged misconduct by staff and offenders and assisting in maintaining safety and security in the Department's facilities. Investigators are directed by policy to conduct investigations:</p> <ol data-bbox="240 488 1493 2123" style="list-style-type: none"> <li data-bbox="240 488 1337 515">1. A prompt, thorough, and objective investigation of sexual abuse and/or sexual harassment shall begin: <ol data-bbox="304 546 975 719" style="list-style-type: none"> <li data-bbox="304 546 874 573">a. As outlined in Investigating Allegations of Misconduct.</li> <li data-bbox="304 602 810 629">b. Upon activation of a facility SART team; and/or,</li> <li data-bbox="304 692 975 719">c. If determined to be necessary following an administrative review.</li> </ol> </li> <li data-bbox="240 786 1469 844">2. If the alleged sexual conduct involves an offender/youth under the age of eighteen (18), the incident shall be reported to the Child Protective Services as required in policy and  Administrative Procedure 03-02-103, "The Reporting, Investigation, and Disposition of Child Abuse and Neglect." Miami does not house youthful inmates.</li> <li data-bbox="240 965 1430 1023">3. Investigations of sexual abuse or sexual harassment shall be completed promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.</li> <li data-bbox="240 1055 1469 1413">4. Investigators shall: <ol data-bbox="304 1122 1469 1413" style="list-style-type: none"> <li data-bbox="304 1122 1469 1180">a. Gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data;</li> <li data-bbox="304 1270 1034 1296">b. Interview alleged victims, suspected perpetrators, and witnesses; and,</li> <li data-bbox="304 1386 1209 1413">c. Review prior complaints and reports of sexual abuse involving the suspected perpetrator.</li> </ol> </li> <li data-bbox="240 1476 1070 1503">5. The Garrity warning shall be used when interviewing staff for simple fact-finding.</li> <li data-bbox="240 1534 1469 1561">6. An effort shall be made to determine whether staff actions or failures contributed to sexual abuse or sexual harassment.</li> <li data-bbox="240 1592 1493 1650">7. An additional staff member, uninvolved in the case, shall be present during interviews, for one of the staff members to be of the same gender as the subject of the interview.</li> <li data-bbox="240 1718 1430 1843">8. The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as offender, youth, or staff. No facility shall require an offender or youth who alleges sexual abuse to submit to a polygraph examination, voice stress analysis, or other truth-telling device as a condition for proceeding with the investigation of such an allegation.</li> <li data-bbox="240 1910 1461 2004">9. The standard of measure for sexual abuse and sexual harassment administrative investigation is the preponderance of the evidence. When the evidence supports criminal prosecution, the agency shall consult with the prosecutor prior to conducting compelled interviews.</li> </ol> <p data-bbox="240 2031 1129 2058">Substantiated cases that appear to be criminal in nature shall be referred for prosecution.</p> <ol data-bbox="240 2067 1406 2125" style="list-style-type: none"> <li data-bbox="240 2067 1406 2125">10. The departure of the alleged perpetrator(s) or victim(s) from employment or custody/supervision will not warrant termination of an investigation. Outside law enforcement shall be contacted if this occurs.</li> </ol>

11. Consultation with the prosecutor's office or Indiana State Police is permitted at any time during an investigation. If deemed appropriate, Indiana State Police may assist in an investigation of an act of sexual abuse or sexual harassment reported to facility investigators. Facility investigators shall be responsible for the coordination of all investigations.

12. Follow up with an offender's/youth's allegation of sexual abuse or sexual harassment shall be done in accordance with Policy 02-01-115, Sexual Abuse Prevention, examination of training files for investigators confirmed that each investigator completed specialized training in conducting investigations in confinement settings at least once.

The facility provided a memo confirming that staff assigned to the Office of Investigations and Intelligence are certified investigators and each has completed all necessary training regarding conducting sexual assault investigation and Standard 115.34. Miami Correctional Facility met the requirements of Standard 115.34.

**Evidence relied upon to make Auditor determination:**

- Pre-Audit Questionnaire
- Policy 02-01-115 (Sexual Abuse Prevention)
- Policy 00-01-103 (Investigation and Intelligence)
- Interview with the PREA Coordinator
- Interview with the PREA Compliance Manager
- Interview with the Warden
- Interview with a PREA Investigator
- Internet search: National Institution of Corrections, Specialized Investigative Training, PREA: Investigating Sexual Abuse in a Confinement Setting
- Training Curriculum: Moss Group Specialize Training, Certificate of Completion (NIC), Specialized Investigative Training, Ashley Willis, PREA: Coordinator Roles and Responsibilities, dated February 12, 2020
- Training Curriculum: Moss Group Specialize Training, Certificate of Completion (NIC), Specialized Investigative Training, Lorna Harbaugh, 2018
- Training Curriculum: Moss Group Specialize Training, Certificate of Completion (NIC), Specialized Investigative Training, Neil Johnson, 2018
- Certificate of Completion (NIC), Specialized Investigative Training, David Ware, PREA: Investigating Sexual Abuse in a Confinement Setting, Advanced Investigations, dated June 5, 2018
- Certificate of Completion (NIC), Specialized Investigative Training, Nicholas Kennedy, PREA: Investigating Sexual Abuse in a Confinement Setting, Advanced Investigations, dated October 3, 2018
- Certificate of Completion (NIC), Specialized Investigative Training, Nicholas Kennedy, PREA: Investigating Sexual Abuse in a Confinement Setting, dated October 3, 2018
- Certificate of Completion (NIC), Specialized Investigative Training, Robert Evans, PREA: Investigating Sexual Abuse in a Confinement Setting, dated October 29, 2018
- Certificate of Completion (NIC), Specialized Investigative Training, James Smith, PREA: Investigating Sexual Abuse in a Confinement Setting, dated September 13, 2018
- Certificate of Completion (NIC), Specialized Investigative Training, James Smith, PREA: Investigating Sexual Abuse in a Confinement Setting, Advanced Investigations, dated December 10, 2018
- 2020 PREA Investigations Training Participant Manual

<b>115.35</b>	<b>Specialized training: Medical and mental health care</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="244 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="244 271 1485 499">Policy 02-11-115 (Sexual Abuse Prevention) addresses the policy requirement for Standard 115.35. The medical staff at Miami Correctional Facility does not conduct forensic medical exams. IDOC maintains documentation that medical and mental health practitioners have received the required specialized and general PREA training referenced in this standard. A sample of training documents for medical and mental health practitioners was examined for compliance with this standard. The documentation indicates that training was conducted, and that specialized staff are re-trained at least yearly on the Prison Rape Elimination Act, and related IDOC policies and practices. Miami Correctional Facility met the requirements of Standard 115.35.</p> <p data-bbox="244 528 810 555"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="244 584 1177 898" style="list-style-type: none"> <li data-bbox="244 584 539 611">• Pre-Audit Questionnaire</li> <li data-bbox="244 640 740 667">• Policy 02-11-115 (Sexual Abuse Prevention)</li> <li data-bbox="244 696 1177 723">• Wexford PREA Training for contract medical and mental health staff, PREA Lesson Plan</li> <li data-bbox="244 752 1075 779">• Review of specialized training certifications for medical and mental health staff</li> <li data-bbox="244 808 772 835">• Interviews with Medical and Mental Health Staff</li> <li data-bbox="244 864 663 891">• Interview with the PREA Coordinator</li> </ul>

115.41	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 398">Policy 02-01-115 Sexual Abuse Prevention and 04-01-101, Adult Offender Classification, address this standard. It is the policy of the IDOC to provide a safe and secure environment for all staff, volunteers, contractual staff, visitors, official visitors, and offenders; and to maintain a program for the prevention of sexual abuse and sexual harassment in any facility operated by the Department or with which the Department contracts.</p> <p data-bbox="240 432 1485 524">According to the PREA Coordinator, Miami does not have a consent decree, legal settlement, or legal judgement that requires the facility to establish a dedicated facility, unit, or wing for inmates identified as gay, bisexual, lesbian, transgender, or intersex as provided by title, status, and finds of each decree, settlement, or judgement.</p> <p data-bbox="240 557 1485 815">IDOC policy mandates that all facilities assess inmates using a screening instrument, Sexual Violence Assessment Tool (SVAT), during intake or during a transfer to another facility, to determine the risk of victimization or abusiveness toward other inmates. The screening process ordinarily should occur within 72 hours of arrival at the facility. Intake staff interviewed during the onsite portion of the audit confirmed that on or before the inmate's arrival IDOC considers the offender's criminogenic history, in addition to institutional alerts, gang affiliation, history of victimization and abusiveness to inform inmate housing decision. Other factors considered include the inmate's own perception regarding his sexual safety and vulnerability, existing disabilities, SVAT, and disclosures during the face-to-face interview with a case manager or intake staff. PREA educational material is issued to the inmate during the intake process.</p> <p data-bbox="240 848 1485 1039">The Auditor examined the Adult SVAT Questionnaire for objectivity. The instrument considers at a minimum, factors outlined in Standard 115.41 such as: The age of the inmate; physical build; previous incarcerations; the inmates 's perception of vulnerability; and whether the inmates is or is perceived to be gay, bisexual; transgender, intersex or gender nonconforming. An interview with intake staff confirmed that the SVAT is used to inform housing, job, program, education, and housing considerations with the goal of keeping the vulnerable inmate at high risk of being sexually victimized from those inmates at high risk of being sexually abusive.</p> <p data-bbox="240 1072 1485 1232">Sample participants from the targeted group were composed of twelve (12) inmates who included, seven (7) inmates who self-identified as transgender, 2 bisexual and 3 gay inmates. Each targeted inmate sampled confirmed that during the intake process they were interviewed individually and given the opportunity to voice their concerns regarding personal perceptions of vulnerability. Sample participants from the targeted group denied being placed in dedicated units or wings for inmates identified as gay, bisexual, transgender, or intersex.</p> <p data-bbox="240 1265 1485 1559">Interviews with random and targeted inmates confirmed that inmates are being screened for risk of victimization or abusiveness on arrival or transfer to the facility. Initially, the Auditor examined ten (10) institutional files to determine if the facility completed SVAT's upon intake but within 72 hours. Problematic, of the forty (40) inmates sampled ten (10) inmates arrived within the past 12-month period. Other arrivals or transfers of inmates' pre-date year 2014. Similarly problematic, seven (7) of the ten (10) SVATS documenting the arrival of inmates in the past 12-month period were completed outside the 72-hour timeframe as indicated in this standard. It should be mentioned that the facility cited the pandemic and the quarantine of incoming inmates to reduce the spread of the pandemic, as justification for the delay. As part of a corrective action, the Auditor will sample a second set of SVATs (20) of incoming inmates from the month of March and February 2020, to again assess compliance with Standard 115.41 (b).</p> <p data-bbox="240 1592 1485 1751">Standard 115.41 (f) mandates that within a set time not more than 30 days from the inmate's arrival at Miami the facility will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening. From the sample of ten (10) inmates whose arrival occurred in the past 12-month period (1) SVAT indicated that a new intake was the victim of sexual abuse in an institution. File documents fail to validate if Miami offered the inmate a referral to a medical or mental health practitioner to address the inmate's history of victimization.</p> <p data-bbox="240 1785 1485 1877">Random and targeted inmates interviewed during the intake process confirmed that each was interviewed individually and given the opportunity to voice their concerns regarding personal perceptions of vulnerability. All inmates (random and targeted) denied being placed in dedicated units or wings for inmates identified as gay, bisexual, transgender, or intersex.</p> <p data-bbox="240 1910 1485 2002">Interviews with specialized practitioners and intake staff confirmed that Miami would not discipline an inmate for refusal to answer, or for not disclosing complete information in response to any or all PREA related questions posed regarding screening for risk of sexual victimization and abusiveness.</p> <p data-bbox="240 2036 1485 2128">Staff responsible for completing SVAT's, specialized medical, mental health practitioners, and intake staff all confirmed during individual interviews that Miami Correctional Facility has a system in place to guard against the dissemination of sensitive information by staff or other inmates. Sensitive information is password protected with limited access.</p>

Interviews with specialized practitioners and intake staff all confirmed that Miami would not discipline an inmate for refusal to answer, or for not disclosing complete information in response to any or all PREA related questions posed regarding screening for risk of sexual victimization and abusiveness.

**Evidence relied upon to make Auditor determination:**

- Pre-Audit Questionnaire
- Policy 02-01-115 (Sexual Abuse Prevention)
- Interview of staff responsible for completion of SVAT's
- Review of inmate referral to mental health
- Review of Sexual Violence Assessment Tool (SVAT)
- Observations made during the on-site portion of the audit
- Interviews with specialized staff
- Interviews with inmates (random and targeted)
- Interview with the PREA Coordinator

**Corrective Action:**

The facility submitted additional SVAT to confirm compliance with this standard. The Auditor

115.42	<b>Use of screening information</b>
	<p data-bbox="240 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1477 398">Policy 02-01-115, Sexual Abuse Prevention address, 02-01-118, Transgender and Intersex Offenders and 04-01-101, Adult Offender Classification addresses Standard 115.42. IDOC/Miami Correctional Facility use of information from the risk screening is mandated in Standard 115.41, Screening for risk of victimization and abusiveness and as required by Standard 115.42.</p> <p data-bbox="240 430 1485 589">Policy 02-01-115 mandates the agency-wide use of SVAT risk screening information to better inform housing, programming, and education assignments, and to keep vulnerable inmates at high risk of sexual victimization safe from inmates with a propensity for abusiveness. The SVAT is an essential component in housing and placement decisions at Miami. If an inmate is identified as being either vulnerable or abusive the inmate's institutional data file is flagged in the agency database. Risk-based decisions made and documented in the database.</p> <p data-bbox="240 620 1493 779">Policy 02-01-115 and 04-01-101 also mandate that decisions regarding appropriate transgender or intersex housing and facility programming are determined on a case-by-case basis, with placement decisions made while considering the impact to the inmate sexual safety while balancing agency and facility security concerns. According to the PREA Coordinator, the agency prohibits facility placement of a transgender or intersex inmate assignment to a gender-specific facilities based solely on their</p> <p data-bbox="240 810 1461 938">external genital anatomy. The agency's, Division of Classification, in consultation with the Department's Executive Staff, to include the Chief Medical Officer, ensures that transgender and intersex inmates housing and placement decisions are consistent with their medical and mental health needs, sentencing level, and in accordance with and Administrative Procedure 01-04-101.</p> <p data-bbox="240 1025 1026 1055">Further, Policy 02-01-118, Transgender and Intersex Offenders, indicates that:</p> <p data-bbox="240 1086 1449 1144">An offender who self-identifies as transgender or is diagnosed as intersex after completing the reception process shall be referred to Health Services and evaluated in accordance with Health Care</p> <p data-bbox="240 1176 1469 1234">Services Directive 3.01A, "Health Services for Transgender Offenders Medical and Mental Health staff shall complete State Form 56492, "Transgender Evaluation" and forward a copy to the facility PREA Compliance Manager.</p> <p data-bbox="240 1265 1481 1359">IDOC policy indicates that after the facility PREA Compliance Manager receives the completed State Form 56492, "Transgender Evaluation," from the facility HSA, the PREA Compliance Manager shall convene the facility PREA Committee to complete State Form 56615,</p> <p data-bbox="240 1391 1465 1449">"Transgender/Intersex Placement Review" The PREA Committee shall consider the following information to compete State Form 56615:</p> <ol data-bbox="240 1480 1126 2002" style="list-style-type: none"> <li data-bbox="240 1480 866 1509">1. The offender's own views of where he/she feels safe;</li> <li data-bbox="240 1541 735 1570">2. Medical and Mental Health assessment;</li> <li data-bbox="240 1601 727 1630">3. Security Threat Group (STG) affiliation;</li> <li data-bbox="240 1662 735 1691">4. Criminal history – sex or violent offense;</li> <li data-bbox="240 1722 735 1751">5. Conduct history – sex or violent offense;</li> <li data-bbox="240 1783 512 1812">6. PREA flag status;</li> <li data-bbox="240 1843 791 1872">7. Gender expression – gender non-conforming;</li> <li data-bbox="240 1904 1126 1933">8. Policy and Administrative Procedure 01-04-101, "Adult Offender Classification;"</li> <li data-bbox="240 1964 528 1993">9. Security level; and,</li> <li data-bbox="240 2024 807 2054">10. Any other factors impacting safety and security</li> </ol> <p data-bbox="240 2085 1461 2157">Random and targeted inmates (100%) sampled indicate that they are given the opportunity to shower, use the toilet and change clothes in private, except in exigent circumstances. Problematic, from the control room located on the second floor the officer looks directly down into a shower. The post can be manned by a male or female officer. Miami Correctional Facility has a policy that specifies placement in segregation would be a last resort. The Miami Warden indicated that the</p>

facility preference is to use the least restrictive measures to keep inmates safe, always considering the inmates own views of his safety and facility security considerations, until an alternative means of safety can be arranged.

The PREA Coordinator indicates that IDOC policy requires that the Miami PREA Committee meet regularly to discuss PREA related facility issues. The committee should be comprised of a multidisciplinary team that would ensure that all transgender and intersex inmates are given the opportunity to shower separately from other inmates. The PREA Coordinator confirmed that placement consideration for transgender or intersex inmates to a facility for male or female inmates is a classification decision made at the agency level before as inmates is assigned to the facility.

Policy 02-01-115 requires inmates (transgender and intersex) inmates be reassessed at least twice a year to review any threats to their sexual safety. Further, the same policy indicates that the agency/Miami should seriously consider the views of transgender and intersex inmates when determining programming, placement, and housing decisions regarding this category of inmates because of the propensity for victimization. Furthermore, IDOC makes placement decisions on a case-by-case basis. During the on-site portion of the audit there were transgender inmate placements, but zero (0) intersex inmates assigned to Miami. Based on Standard 115.42 (d) zero transgender inmates met the criteria for re-assessment at the time of the onsite audit. The PREA Compliance Manager confirmed that when applicable the reassessment of transgender or intersex inmates would be documented in the inmate case management electronic file.

Policy 02-01-118, Transgender and Intersex Procedure, in an interview with the PREA Coordinator, he indicated that IDOC considers whether to assign a transgender or intersex inmate to a facility for male or female inmates on a case-by-case basis. IDOC would consider whether the placement of an inmate would ensure the inmate's health and safety, and whether a placement would present management or security problems. Furthermore, the PREA Coordinator detailed that upon receiving notification that an offender has been determined to be transgender or diagnosed as intersex, he would notify the PREA Compliance Manager, and the inmate would be placed on the facility's tracking mechanism for LGBTI inmates. The PREA Coordinator confirmed that the agency would complete an initial placement and programming assessment of transgender and Intersex inmates prior to facility placement. Subsequent reassessments are conducted every six (6) months where applicable by the facility in accordance with Section XI of Policy and Administrative Procedure 02-01-115, Sexual Abuse Prevention. More, the PREA Compliance Manager indicated that each transgender or intersex inmate's own views with respect to his or her own safety would be given serious consideration when making facility and housing placement decisions and programming assignments.

The Warden confirmed that Miami Correctional Facility does not have a dedicated unit, or wing solely for the placement of LGBTI or inmates pursuant to a consent decree, legal settlement, or legal judgement. The Auditor verified by examination during the facility tour that Miami does not have a dedicated unit, or wing solely for the placement of LGBTI or inmates pursuant to a consent decree, legal settlement, or legal judgement.

Because of the sensitive nature of the personal information contained in the electronic file the agency limits access.

Electronic files are password protected. By limiting access, the agency protects information accessible via an electronic storage system used by the agency for the storing and maintenance of inmate records to protected from certain users. Miami Correctional Facility met the requirements of Standard 115.42.

**Evidence relied upon to make Auditor determination:**

- Pre-Audit Questionnaire
- Policy 02-01-115 (Sexual Abuse Prevention)
- Policy 01-04-101 (Adult Offender Classification)
- Policy 02-01-118 (Transgender and Intersex Procedure)
- Miami Correctional Facility Memo: PREA Standard 115.42
- Form: State Form 45999 (Offender Health Form)
- Review of Sexual Violence Assessment Tool (SVAT) documentation
- Interview with the PREA Coordinator
- Interview with the Warden
- Interview with the PREA Compliance Manager
- Interviews with staff (random and specialized)
- Interviews with inmates (random and targeted)

- Auditor observations
- Review of facility schematics



<b>115.43</b>	<b>Protective Custody</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1461 331">Policy 02-11-115 Sexual Abuse Prevention, 02-01-107 The Use of Operations of Protective Custody, and 01-04-101 Adult Offender Classification address Standard 115.43.</p> <p data-bbox="240 367 1485 721">Policy 02-11-115 specifically prohibits the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made and there is no available means of separation from likely abusers. Moreover, inmates at high risk for sexual victimization shall not be placed in involuntary restrictive status 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. Any such determination shall clearly document the basis for the facility's concern for the inmate's safety; and the reason why no alternative means of separation can be made. Such assignment shall not ordinarily exceed a period of thirty (30) days. Any assignment exceeding thirty (30) days shall be clearly documented providing justification for such placement. Any adult inmate placed in restrictive status housing, for this purpose, shall have access to programs, privileges, education, and work assignments to the extent possible. Should any such programs be restricted, the facility shall document the opportunities that have been limited, the duration, the limitation, and the reasons for such limitations.</p> <p data-bbox="240 757 1493 1048">Miami provided memos confirming zero (0) inmates were involuntarily placed in segregation prior to an initial SVAT review and assessment, as well as zero inmates were placed in segregation longer than 30 days prior to an initial SVAT review and assessment. The Auditor interviewed the PREA Compliance Manager to confirm information contained in the PAQ relative to Standard 115.43. She confirmed the correctness of information submitted to the Auditor regarding this standard. Likewise, the Auditor interviewed a supervisor from the Restrictive Status Housing (RSH). The custody supervisor confirmed that victims of sexual abuse placed in restricted housing would have access to programs, education, and privileges. Work on the restrictive unit is limited. Inmate movement of the unit is restricted. The Auditor relied upon the facility tour of administrative Restrictive Housing and face-to-face informal conversations with inmates and the logbook entries. Miami Correctional Facility met the requirements of Standard 115.43.</p> <p data-bbox="240 1084 810 1111"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1137 932 1568" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-11-115 (Sexual Abuse Prevention)</li> <li>• Policy 02-01-107 (The Use of Operations of Protective Custody)</li> <li>• Policy 01-04-101 (Adult Offender Classification)</li> <li>• Policy 02-1-111 (Administrative Restrictive Status Housing)</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the Warden</li> </ul>

115.51	<b>Inmate reporting</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1436 331">Policy 02-01-115, Sexual Abuse Prevention and Policy 00-01-102, Inmate Access to Court address the requirements of Standard 115.51.</p> <p data-bbox="242 360 1493 456">The PREA Compliance Manager indicated that the facility never houses inmates detained solely for civil immigration purposes according to the PCM. The agency provides multiple internal ways for inmates to privately report to agency officials sexual abuse and sexual harassment: sexual abuse and harassment; retaliation by other inmates or staff for reporting sexual.</p> <p data-bbox="242 517 1457 647">The same policy, Policy 02-01-115, mandates that staff accept reports of sexual assault and sexual harassment made verbally, in writing, from a third-party or anonymously. Further, the agency also provides inmates with at least one way to report sexual or sexual harassment to a public or private entity or office that is not part of the agency. The private entity or office allows the inmates to remain anonymous if requested.</p> <p data-bbox="242 676 1465 772">iami provides internal ways for inmates to privately report sexual abuse and sexual harassment. The PREA brochure is designed expand and inform readers regarding sexual abuse, ways to report an incident of sexual abuse, threats of sexual abuse or sexual assault. The victim of a sexual assault can report sexual abuse or sexual harassment by:</p> <ul data-bbox="242 801 1158 1288" style="list-style-type: none"> <li data-bbox="242 801 549 831">• Telling a trusted staff person</li> <li data-bbox="242 860 761 889">• Dialing # 80 to report sexual abuse or misconduct</li> <li data-bbox="242 918 764 947">• Writing or calling the Indiana Ombudsman Bureau 402 W. Washington, Street., W479 Indianapolis, IN 46204</li> <li data-bbox="242 1088 442 1117">• Filing a grievance</li> <li data-bbox="242 1146 1158 1176">• Third party reporting having a family member or friend to report an incident on their behalf</li> <li data-bbox="242 1205 825 1234">• Email: idocprea@idoc.in.gov or phone:1 (877) 383-5877</li> <li data-bbox="242 1263 636 1292">• Alert the PREA Compliance Manager</li> </ul> <p data-bbox="242 1321 1489 1547">The Auditor tested the telephone system through the facility. Random and targeted inmates (100%) confirmed during interviews that the facility provides multiple ways to report sexual abuse or sexual harassment. Moreover, during inmate interviews (random and targeted) inmates were able to detail multiple ways of reporting sexual abuse or sexual harassment to include contacting the PREA Compliance Manager or Ombudsman Bureau. From facility investigations the Auditor determined that inmates were utilizing the Ombudsman Bureau to make PREA reports, and that the bureau immediately contacted the IDOC PREA Coordinator. The same inmates detailed for the Auditor how to report an incident of sexual abuse or sexual harassment using tablets, the kiosk, filing a grievance, family or using the grievance process.</p> <p data-bbox="242 1576 1484 1937">Random and targeted inmates sampled (100%) indicated that they felt comfortable telling a trusted staff member or the PREA Compliance Manager. The Audit receive one call from the mother of an inmate placed at Miami. The mother indicated that her son was in imminent danger of being sexually abuse and this was the second allegation of sexual abuse made at Miami. The Auditor reported the call to the PREA Coordinator and Miami PREA Compliance Manager. Miami used a SART team member to interview inmate Doe in a private location. Within days the SART team member who interviewed inmate Doe was attacked while walking in another unit. The Auditor could not determine a correlation between the two events. The inmate requested voluntary segregation until the agency could identify a more suitable cell location within the facility or an agency placement at another facility. Miami began an investigation. During the onsite audit, the Auditor spoke to inmate Doe. He indicated that he did not feel safe in general population and was requesting a transfer. This was his second request for a transfer as the first was denied. Doe was approved for transfer and remained in segregation where he feels safe in a single cell.</p> <p data-bbox="242 1966 1477 2063">All staff (random and specialized) sampled indicated they would accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties, immediately document the event and immediately notify their shift supervisor while maintaining the sexual safety of the victim. Miami met the requirements for Standard 115.51.</p> <p data-bbox="242 2092 812 2121"><b>Evidence relied upon to make Auditor determination:</b></p>

- Pre-Audit Questionnaire
- Indiana Ombudsman Bureau
- Inmate PREA Brochure
- Agency Inmate Handbook
- PREA related informational posters (English/Spanish)
- Facility tour
- Policy 02-01-115 (Sexual Abuse Prevention)
- Policy 00-01-102 (Inmate Access to Court)
- Review of the investigative reports
- Auditor review of forms and reporting documentation
- Interviews with inmates (random and targeted)
- Interviews with staff (random and specialized)
- Interview with the PREA Compliance Manager
- Inmate Doe
- PREA Coordinator

115.52	<b>Exhaustion of administrative remedies</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 329 1449 389">Policy 00-02-301 Inmate Grievance Process and Policy 02-01-115 Sexual Abuse Prevention and collectively address the requirements of Standard 115.52. The IDOC is not exempt from this standard.</p> <p data-bbox="240 421 1404 481">Policy 00-02-301 Inmate Grievance Process and Policy 02-01-115 Sexual Abuse Prevention collectively address the requirements of Standard 115.52. IDOC is not exempt from this standard.</p> <p data-bbox="240 510 1042 537">Policy 00-02-301, Inmate Grievance Process, Section I, Policy Statement reads:</p> <p data-bbox="240 566 1489 627">It is expected that offender complaints will be resolved informally by staff attempting to meet and discuss the complaints prior to the offender filing a written grievance.</p> <p data-bbox="240 658 1281 685">Policy 00-02-301, Inmate Grievance Process, Section IV, Use of the Offender Grievance Process reads:</p> <p data-bbox="240 714 1477 810">The Department recognizes only one grievance process. The grievance process described in this policy and administrative procedure is the only administrative remedy officially recognized by the Department for the resolution of offenders' grievable issues. The complete offender grievance process consists of the following steps:</p> <ol data-bbox="240 873 1294 992" style="list-style-type: none"> <li>1. A formal attempt to solve a problem or concern following unsuccessful attempts at informal resolutions;</li> <li>2. A written appeal to the Warden/designee; and,</li> <li>3. A written appeal to the Department Grievance Manager.</li> </ol> <p data-bbox="240 1021 783 1048">Matters Appropriate to the Inmate Grievance Process:</p> <p data-bbox="240 1077 1254 1104">Examples of issues which an inmate may initiate the grievance process include, but are not limited to:</p> <ol data-bbox="240 1167 1473 1512" style="list-style-type: none"> <li>1. The substance and requirements of policies, procedures, and rules of the Department or facility (including, but not limited to, correspondence, staff treatment, medical or mental health, some visitation, and food service).</li> <li>2. The way staff members interpret and apply the policies, procedures, or rules of the Department or of the facility.</li> <li>3. Actions of individual staff, contractors, or volunteers.</li> <li>4. Acts of reprisal for using the Inmate Grievance Process.</li> <li>5. Any other concerns relating to conditions of care or supervision within the Department or its contractors, except as noted in this policy and administrative procedure; and,</li> <li>6. PREA</li> </ol> <p data-bbox="240 1543 1037 1570">Policy 00-02-301, Inmate Grievance Process, Section C. Emergency Grievance</p> <p data-bbox="240 1599 1489 1928">The Auditor interviewed the Warden during the onsite portion of this audit. The Warden detailed the emergency grievance process. The Offender Grievance Specialist would immediately bring an emergency grievance to the attention of the Warden/designee, PREA Compliance Manager and the PREA Coordinator for review and response within one (1) business day of the offender filing the grievance. The action on any emergency grievance may be appealed by the offender within one (1) business day of receiving the response. The Offender Grievance Specialist will notify, via email, the Department Offender Grievance Manager, PREA Coordinator that the appeal has been submitted. The Department Offender Grievance Manager then issues a final Department decision within five (5) business days of the offender filing the grievance. Problematic, after receiving an emergency grievance the agency is required to issue a final agency decision within five (5) calendar days. Standard 115.52 (f), after receiving an emergency grievance requires the agency to issue a final agency decision within 5 calendar days not business days.</p> <p data-bbox="240 1960 1002 1986">Policy 00-02-301, Inmate Grievance Process, PREA Grievances, Section D.</p> <p data-bbox="240 2016 1489 2076">Standard 115.52 (b) requires the agency to 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.</p> <p data-bbox="240 2105 1477 2132">olicy 00-02-301, Inmate Grievance Process, PREA Grievances, Section D. of the grievance process removes standard time</p>

limits for submission of a grievance and permits inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits. However, Policy 00-02-301, Inmate Grievance Process, Policy Statement excerpt stipulates:

"...it is expected that offender complaints will be resolved informally by staff attempting to meet and discuss the complaints prior to the offender filing a written grievance."

This segment of the grievance process conflicts with direction provided to staff found in other sections of the same policy.

Inmate Grievance Process, Section D., PREA Grievances, paragraph one (1) indicates that the Warden shall forward the emergency grievance to the Offender Grievance Specialist, who shall provide an initial response within forty-eight (48) hours of the offender filing the emergency grievance. This information conflicts with verbiage found in, Inmate Grievance Process, Section C., Emergency Grievance.

The PREA Coordinator confirmed during his interview that the agency would 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. The interview with the PREA Coordinator is consistent with Policy 00-02-301, Inmate Grievance Process, Section D. and Standard 115.52. Furthermore, the PREA Coordinator indicated that if the agency claims the maximum allowable extension of time to respond per

115.52(d)(3), the agency would notify the inmate in writing of any such extension and provide a date by which a decision will be made. The PREA Coordinator confirmed his understanding that if an inmate does not receive a response within the time allotted for reply by the agency, including any properly noticed extension, the absence of a response is considered a denial at that level.

Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted by IDOC to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse. IDOC, Policy 00-02-301 Inmate Grievance Process, Subsection D. reads:

"Third parties, including other offenders, staff members, family members, attorneys, and outside advocates, shall be permitted to assist offenders in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of offenders. If a third-party file such a request on behalf of an offender, the facility may require, as a condition of processing the request, that the alleged victim agree to have the request filed on his/her behalf and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process. If the offender declines to have the request processed on his/her behalf, the Department shall document the offender's decision."

The PCM indicated that Miami 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. The facility investigator confirmed during his interview that IDOC may claim an extension of time to respond, of up to seventy (70) days if the normal time for response is insufficient to make an appropriate decision. The IDOC shall notify the inmate in writing of any such extension and provide a date by which a decision shall be made.

The agency disciplines an inmate for filing a grievance related to alleged sexual abuse, ONLY where the agency demonstrates that the inmates filed the grievance in bad faith outlined in Policy 02-11-115 and 00-02-301. The agency disciplines inmates for filing a grievance related to alleged sexual abuse, ONLY where the agency demonstrates that the inmate filed the grievance in bad faith outlined in Policy 00-02-301. The PREA Compliance Manager also provided memos confirming within the last twelve months the facility had one (1) inmate grievances was filed that alleged sexual abuse and zero (0) inmates were disciplined for filing a baseless claim. Miami Correctional Facility met the requirement of Standard 115.52.

**Evidence relied upon to make Auditor determination:**

- Pre-Audit Questionnaire
- Policy 00-02-301, Inmate Grievance
- Policy 02-1-115, Sexual Abuse Prevention
- Interviews with staff (specialized and random)
- Interviews with inmates (random and targeted)
- Interview with the PREA Compliance Manager
- Inmate Handbook and Brochure
- Memorandum: From the Warden regarding third-party grievance filed on behalf of an inmate related to sexual abuse

**Cautionary Note:**

- While the agency met the requirements of Standard 115.53 this Auditor highly recommends that the agency consider a policy modification to clarify the Offender Grievance Process, 00-020-301.

115.53	<b>Inmate access to outside confidential support services</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1453 362">Policy 02-11-115 (Sexual Abuse Prevention) addresses the requirements of Standard 115.53. This facility never detains inmates solely for civil immigration purposes therefore the Auditor considers Miami exempt from Standard 115.53 (a) as it pertains civil detention.</p> <p data-bbox="240 398 1481 488">The facility provides inmates with access to outside victim advocates for emotional support services related to sexual abuse. The contact information is posted throughout the facility. PREA posters and victim advocacy information was observed posted during the facility tour through living units and in common areas for viewing.</p> <p data-bbox="240 524 1257 551">IDOC Policy 02-01-115 Sexual Abuse Prevention, Policy 02-01-102, Inmate Visitation, PREA posters,</p> <p data-bbox="240 586 1238 613">PREA pamphlets, Inmate Handbook, and the Victim Advocacy agreement with the Indiana Coalition</p> <p data-bbox="240 649 1442 694">Against Domestic Violence (ICADV) were provided through an online platform (Syncplicity) for the Auditor's review. Both policies along with PREA related informational brochures and service agreements all address Standard 115.53.</p> <p data-bbox="240 730 1474 819">By examination, the Auditor determined that IDOC and by extension Miami Correctional Facility has a paid contract with the Indiana Coalition Against Domestic Violence (ICADV). The Auditor examined a contractual agreement (E-Contract 22593-A5) between ICADV and the IDOC. The scope of services provided by ICADV include:</p> <ol data-bbox="240 887 1366 1124" style="list-style-type: none"> <li>1. Provide the victim a person they can talk to about what happened to them confidentially for crisis intervention.</li> <li>2. Provide the offender a plan to address the trauma caused by the sexual abuse.</li> <li>3. Provide referrals to services that provide ongoing support during and after release and to provide victim advocacy emotional support, crisis intervention, information, and referrals to inmates assigned to IDOC facilities.</li> </ol> <p data-bbox="240 1191 1485 1249">The initial contractual agreement with ICADV was dated 12/7/2018, expired on 9/30/2019, it was amended on 2/10/2020 and expired on 5/31/2020 now extended to March 2022.</p> <p data-bbox="240 1285 1465 1339">From each living unit any inmate victim of sexual abuse or harassment, may request victim advocacy services from ICADV by:</p> <p data-bbox="240 1429 1485 1487">Calling toll free to the ICADV hotline from the inmate phone system by dialing #66. Inmates are advised from the recording if you get an answering service leave your name, DOC# and facility in the message or writing:</p> <p data-bbox="240 1523 687 1550">Indiana Coalition Against Domestic Violence</p> <p data-bbox="240 1585 523 1612">Attn: IDOC Victim Advocate</p> <p data-bbox="240 1648 683 1675">1915 W. 18th Street, Indianapolis, IN 46202</p> <p data-bbox="240 1733 1437 1859">Specifically, Miami Correctional Facility provides inmates with access to outside victim advocates for emotional support services related to sexual abuse. The Indiana Coalition Against Domestic Violence (ICADV), Indiana VINE (victim assistance), AbuseLawsuit.com, and Maryville University (Understanding the Me-Too Movement: A Sexual Harassment Awareness Guide).</p> <p data-bbox="240 1895 1461 2083">During interviews with inmates (random and targeted) each confirmed that they have access to legal counsel if necessary, and it is not counted towards their weekly telephone call allotment. The same information is found in the posted on each living unit. Additional information was found in the inmate brochure. During interviews, the inmates (100%) (random and targeted) each group sampled confirmed telephone calling access at the facility. The facility maintains copies of the agreement with the Indiana Coalition Against Domestic Violence. Miami Correctional Facility met the requirement of Standard 115.53.</p> <p data-bbox="240 2119 810 2145"><b>Evidence relied upon to make Auditor determination:</b></p>

- Pre-Audit Questionnaire
- Policy 02-11-115 (Sexual Abuse Prevention)
- Miami Correctional Facility Memo: PREA Standard 115.53
- Miami Correctional Facility Memo: PREA Standard 115.21
- Observations of the Auditor made during the facility tour
- Memorandum of agreement with Indiana Coalition Against Domestic Violence
- ICADV contact information
- Interviews with inmates (random and targeted)
- Interviews with staff
- Interview with the PREA Coordinator
- Interview with the PREA Compliance Manager



115.54	<b>Third-party reporting</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1493 465">Policy 02-11-115 (Sexual Abuse Prevention) addresses the requirements of Standard 115.54. The facility accepts all third-party reports of inmate sexual abuse or sexual harassment but failed to upload a policy. The agency established a method to receive third-party reports of sexual abuse and sexual harassment that can be found on the agency's website. The agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate on their website. The website provides contact information as well as whom the third-party reporter will speak to when communicating with the agency.</p> <p data-bbox="240 501 1257 528">IDOC Policy 02-01-115 Sexual Abuse Prevention, Policy 02-01-102, Inmate Visitation, PREA posters,</p> <p data-bbox="240 564 1485 680">PREA pamphlets, Inmate Handbook, Ombudsman Bureau, service agreement and the Victim Advocacy agreement with the Indiana Coalition Against Domestic Violence (ICADV) were provided through an online platform (Syncplicity) for the Auditor's review. Both policies, brochures, advocacy contact information along with other PREA related service agreements all address Standard 115.54.</p> <p data-bbox="240 716 1453 810">The IDOC established a method to receive third-party reports of sexual abuse and sexual harassment. The agency has distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate. The Auditor examined the notification on the agency website during an internet search.</p> <p data-bbox="240 846 906 873"><b>IDOC SEXUAL ABUSE AND SEXUAL HARASSMENT REPORTS</b></p> <p data-bbox="240 909 1406 958">To report an incident of sexual abuse or sexual harassment on behalf of a inmates please call (877) 385-5877, email IDOCPREA@idoc.in.gov or write or call:</p> <p data-bbox="240 1021 600 1048"><b>The Indiana Ombudsman Bureau</b></p> <p data-bbox="240 1084 608 1111"><b>402 W. Washington, Street., W479</b></p> <p data-bbox="240 1146 483 1173"><b>Indianapolis, IN 46204</b></p> <p data-bbox="240 1209 683 1236">Reporting parties please note the following:</p> <ul data-bbox="240 1272 1430 1680" style="list-style-type: none"> <li data-bbox="240 1272 1018 1299">• The allegation will be discussed with the victim named in the report</li> <li data-bbox="240 1335 1430 1384">• The allegation will be disclosed only to those who need to know to ensure victim safety and to investigate the allegation</li> <li data-bbox="240 1420 1366 1447">• Please include the following information, if known, when reporting sexual abuse or sexual harassment:</li> <li data-bbox="240 1482 624 1509">• Date of the alleged incident.</li> <li data-bbox="240 1545 783 1572">• Victim's name and DOC number and facility</li> <li data-bbox="240 1608 1145 1635">• All alleged perpetrators names and DOC numbers • Location of alleged incident</li> <li data-bbox="240 1671 871 1697">• Any other information provided regarding the incident</li> </ul> <p data-bbox="240 1756 919 1783">Miami Correctional Facility met the requirement of Standard 115.54.</p> <p data-bbox="240 1818 810 1845"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1881 1198 2159" style="list-style-type: none"> <li data-bbox="240 1881 536 1908">• Pre-Audit Questionnaire</li> <li data-bbox="240 1944 738 1971">• Policy 02-11-115 (Sexual Abuse Prevention)</li> <li data-bbox="240 2007 882 2033">• Miami Correctional Facility Memo: PREA Standard 115.54</li> <li data-bbox="240 2069 1198 2096">• Victim Advocacy agreement with the Indiana Coalition Against Domestic Violence (ICADV)</li> <li data-bbox="240 2132 874 2159">• Internet search: Indiana Department of Correction website</li> <li data-bbox="240 2172 523 2199">• PREA Visitor Brochure</li> </ul>

- PREA Adult Male/English/Spanish Brochure
- Phone interview: Indiana Ombudsman Bureau
- Email: Indiana Ombudsman Bureau 2019 Report
- Interviews with staff (random and specialized)
- Interviews with inmates (random and targeted)
- Interview with the PREA Coordinator

115.61	<b>Staff and agency reporting duties</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1477 365">Policy 02-01-115 (Sexual Abuse Prevention) addresses the requirements of Standard 115.61. Miami Correctional Facility is an adult facility. The facility does not house youthful inmates under the age of 18. If the alleged sexual abuse involves an offender under eighteen (18) or an</p> <p data-bbox="240 400 1485 490">endangered/vulnerable adult, the incident shall be reported to the Child Protective Services as required in the administrative procedures for Policy 03-02-103, "The Reporting, Investigation and Disposition of Child Abuse and Neglect," or by contacting the Adult Protective Services at Indiana Family and Social Service Administration (FSSA).</p> <p data-bbox="240 526 1485 714">By examination and through interviews, the Auditor determined that Indiana Department of Correction staff/volunteers and contractors are mandated reporters and are required by policy to immediately report any knowledge, suspicion, or information they receive regarding sexual abuse and harassment, retaliation against inmates or staff who report any incidents, and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. It should be mentioned that Miami suspended volunteerism early in January of 2020. To date the suspension of volunteerism has not been lifted by the agency.</p> <p data-bbox="240 750 1430 840">By examination, the Auditor determined that the agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation.</p> <p data-bbox="240 875 1469 996">Interviews with staff (random and specialized) support compliance with this standard. Random and specialized staff (100%) confirmed that the agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation.</p> <p data-bbox="240 1032 1485 1220">A review of the PREA training curriculum also confirms that the agency informs all staff, volunteers, and contractors to report any PREA related incident or suspicion of an incident to a supervisor immediately. Specialized staff sampled, medical and mental health practitioners confirmed their duty to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services. Interviews with a sample of targeted inmates confirm that during their initial visit with a medical and mental health practitioner they were informed of the practitioner's duty to report, and the limitations of confidentiality.</p> <p data-bbox="240 1256 1485 1413">The Auditor also interviewed, the Warden, the PREA Compliance Manager and PREA Investigator during separate interviews, each confirmed during their respective interviews an understanding of their role and responsibility that upon receiving any allegation of sexual abuse, to promptly report the allegation to the appropriate IDOC office. Interviews with staff (random and specialized) support compliance with Standard 115.61. Miami Correctional Facility met the requirements of Standard 115.61.</p> <p data-bbox="240 1449 810 1476"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1503 882 2045" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Miami Correctional Facility Memo: PREA Standard 115.61</li> <li>• PREA training curriculum</li> <li>• Interviews with staff (random and specialized)</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the Warden</li> <li>• Inmate interviews: targeted group</li> <li>• Review of investigative files</li> <li>• Interview with staff: Random and specialized</li> </ul>

<b>115.62</b>	<b>Agency protection duties</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1484 533">Policy 02-01-115 (Sexual Abuse Prevention) addresses the requirements of Standard 115.62. The policy requires staff to take immediate action to protect an inmate when he is identified as being subject to substantial risk of imminent sexual abuse. The Auditor interviewed random and specialized staff during the onsite portion of the audit. Sample random and specialized staff confirmed a duty to protect the sexual safety of an inmate when the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse. The acting Warden issued a memo confirming that in the past twelve months there was zero instances of an inmate subject to substantial risk of imminent sexual abuse. Interviews with the PREA Compliance Manager and PREA Investigator both detailed their role and responsibility to protect vulnerable inmates in substantial risk of imminent sexual abuse from abusive inmates.</p> <p data-bbox="242 620 1460 712">The Auditor interviewed a sample of random and targeted inmates who indicated that they understood how to seek protection from the facility by immediately notify a trusted staff person. Miami Correctional Facility met the requirements of Standard 115.62.</p> <p data-bbox="242 799 767 828">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="242 916 823 1406" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115, Sexual Abuse Prevention</li> <li>• Interviews with staff (Random and Specialized)</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the Warden</li> <li>• Interview with the PREA Investigator</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Interview with the Inmate Doe (See inmate reporting)</li> <li>• Interview with inmates (random and targeted)</li> </ul>

115.63	<p><b>Reporting to other confinement facilities</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Policy 02-01-115 Sexual Abuse Prevention), Indiana Department of Corrections Protection Duties, addresses the requirement of Standard 115.63. The policy requires: when a Warden/Superintendent or designee receives an allegation that an offender was sexually abused at another facility, the Warden/Superintendent or designee receiving the allegation shall notify the head of the facility where the alleged abuse occurred within seventy-two (72) hours of receiving the allegation and document he/she has provided such information. The Warden/Superintendent that receives such notification shall ensure that the allegation is investigated in accordance with this policy and administrative procedure.</p> <p>The Auditor interviewed the Warden for this standard. The Warden detailed his responsibility under Standard 115.63. Further, the Warden explained that if he received an allegation that an inmate was sexually abused at another facility, the notification process requires that he notify the head of the facility where the alleged abuse occurred within seventy-two (72) hours of receiving the allegation and the incident would be documented.</p> <p>According to the PAQ and confirmed by the PREA Compliance Manager and Warden, during the past 12 months, there were zero allegations received that an inmate was abused while confined to another facility. Information contained in the PAQ was verify during interviews with the Warden and PREA Compliance Manager. Miami Correctional Facility met the requirements of Standard 115.63.</p> <p><b>Evidence relied upon to make Auditor determination:</b></p> <ul style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Examined two allegations related to this standard</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Interview with Warden</li> <li>• Interview with the PREA Coordinator/agency designee</li> </ul>
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115.64	<b>Staff first responder duties</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1490 398">Policy 02-01-115 (Sexual Abuse Prevention) and Policy 02-01-115, Sexual Abuse Prevention, Policy 00-01-103, Investigations and Intelligence, A National Protocol for Sexual Assault Medical Forensic Examinations Adult/Adolescents 2nd ED., 4/2013 IDOC Sexual Assault Evidence Protocol and the Sexual Assault Prevention-Coordinated Response addresses the requirement of Standard 115.64.</p> <p data-bbox="240 434 1490 622">Policy 02-01-115 requires staff to take specific steps to respond to a report of sexual abuse including; separating the alleged victim from the abuser; preserving any crime scene within a period of time that still allows for the collection of physical evidence; request the alleged victim not take any action that could destroy physical evidence; and ensure that the alleged abuser does not take any action to destroy physical evidence, if the abuse took place within a time period that would still allow for the collection of physical evidence. Staff (random and specialized) (security/non-security) sampled clearly detailed their understanding of the actions to be taken upon learning that an inmate was sexually abused.</p> <p data-bbox="240 658 1490 815">Moreover, the first security staff member to respond to the report is required to: Separate the alleged victim and abuser, preserve and protect any crime scene until appropriate steps can be taken to collect any evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating if the abuse occurred within a time that still allows for the collection of physical evidence.</p> <p data-bbox="240 851 1490 1008">Further, the Auditor reviewed twenty-seven (27) investigative PREA reports were staff responded in time to obtain usable physical evidence, all confirmed that staff first responders took the appropriate steps such as, protecting the crime scene, protecting the victim, and implementing a coordinated response. The Auditor interviewed one inmate from random sampling who reported a sexual abuse at another prison. His experience was relative only to the facility where the incident took place. It was not Miami. Miami met the requirements of Standard 115.64.</p> <p data-bbox="240 1043 810 1070"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1106 1490 1653" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Policy 00-01-103 (Investigation, and Intelligence)</li> <li>• Interviews with staff (random and specialized)</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Investigations and Intelligence, A National Protocol for Sexual Assault Medical Forensic Examinations Adult/Adolescents 2nd ED., 4/2013</li> <li>• Sexual Assault Response Team Curriculum</li> <li>• First Responders Evidence protocol</li> <li>• SART Overview</li> <li>• SART Victim Advocacy</li> <li>• SART Dynamics and Trauma of Sexual Violence</li> <li>• First Responder Evidence Protocol Investigations</li> <li>• Sexual Assault Prevention Directive</li> <li>• Interview First Responder (non-security)</li> <li>• Interview First Responder (security)</li> </ul>

115.65	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1484 398">Policy 02-01-115 (Sexual Abuse Prevention), Miami Facility Directive MCF-II-006, Sexual Assault Response 2020, Staff and Indiana Department of Corrections Reporting Duties, Policy 00-01-103, Investigations, and Intelligence, Facility Directive, MCF-II-002, Major Crime Scene and Facility Directive, MCF-II-005, Evidence Recovery and Storage addresses the requirement of Standard 115.65.</p> <p data-bbox="242 432 1484 622">The Miami Facility Directive MCF-II-006, Sexual Assault Response 2020, outlines a detailed written plan that coordinates actions to be taken in response to an incident of sexual assault among staff first responders, medical and mental health care practitioners, and facility leadership. The plan was reviewed and follows this standard. Miami Facility Directive MCF-II-006, Sexual Assault Response 2020, Staff and Indiana Department of Corrections Reporting Duties, Policy 00-01-103, Investigations, and Intelligence, Facility Directive, MCF-II-002, Major Crime Scene and Facility Directive, MCF-II-005, Evidence Recovery and Storage support the IDOC Sexual Prevention Policy and coordinated response to sexual abuse.</p> <p data-bbox="242 656 1484 846">The PREA Coordinator affirmed during his interview that each facility is mandated to establish a Sexual Assault Response Team (SART) and develop a detailed written facility coordinated plan. Miami has a documented written institutional coordinated plan among first responders to react to an incident of sexual abuse. For example, the facility directive outlines responsibilities for the Custody Shift Supervisor. The Custody Shift Supervisor is responsible for alerting the SART Team, medical and mental health practitioners, investigations, ensuring the safety of the victim and preserving the crime scene until relieved by executive staff.</p> <p data-bbox="242 880 1484 1104">According to the PREA Coordinator, all SART Team members participate in comprehensive coursework, to enhance reactionary response time and recovery of evidence in a sexual assault incident. SART members are also charged with meeting the needs of the victim with support; provide a comprehensive forensic exam for victims; provide a joint effective, sensitive approach to victims; document and preserve evidence for potential prosecution; conduct investigations of the crime from notification through prosecution. At the facility level, Miami ensures that an overall effective, and coordinated response occurs for victims of sexual assault. The Miami Coordinated Response Plan was reviewed by the Auditor. The Coordinated Response Plan supports Standard 115.65.</p> <p data-bbox="242 1137 1484 1227">Individual interviews with the PREA Coordinator provided a detailed understanding of the role and responsibilities of SART and first responders including medical and mental health practitioners, investigators, and facility executive staff in the event of an incident of sexual assault.</p> <p data-bbox="242 1261 1484 1350">Furthermore, interviews with a sample of specialized staff confirmed for the Auditor that each staff member sampled was knowledgeable of their duties in response to an allegation of sexual abuse and they were also knowledgeable regarding the Miami coordinated response plan. Miami Correctional Facility met the requirements of Standard 115.65.</p> <p data-bbox="242 1384 885 1411"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1496 1484 2157" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Policy 00-01-103, (Investigations, and Intelligence)</li> <li>• Miami Correctional Facility Coordinated Response, Miami Facility Directive MCF-II-006, Sexual Assault Response</li> <li>• Staff and Indiana Department of Corrections Reporting Duties</li> <li>• Facility Directive, MCF-II-002, Major Crime Scene</li> <li>• Facility Directive, MCF-II-005, Evidence Recovery and Storage</li> <li>• Investigations and Intelligence, A National Protocol for Sexual Assault Medical Forensic Examinations Adult/Adolescents 2nd ED., 4/2013</li> <li>• Sexual Assault Response Team Curriculum</li> <li>○ First Responders Evidence protocol</li> <li>○ SART Overview</li> </ul>

- o SART Victim Advocacy
- o SART Dynamics and Trauma of Sexual Violence
- o First Responder Evidence Protocol Investigations
- o Interviews with staff (random and specialized)
- o IDOC sexual Assault Manual
- o Interviews with staff (random and specialized)
  
- Interview with the PREA Coordinator



<b>115.66</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Indiana Department of Correction is not a collective bargaining agency; therefore, this standard is not applicable. Miami Correctional Facility met the requirements of Standard 115.66.</p> <p><b>Evidence relied upon to make Auditor determination:</b></p> <ul style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the Warden</li> </ul>

115.67	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1453 331">Policy 02-01-115 Sexual Abuse Prevention and Policy 00-01-103, Investigations, and Intelligence collectively address the requirements of Standard 115.67.</p> <p data-bbox="240 362 1415 423">The agency has 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.</p> <p data-bbox="240 454 1490 546">Policy 00-01-103, Investigations, and Intelligence requires the Office of Investigation and Intelligence to ensure the protection of inmates and staff who have reported sexual abuse or sexual harassment or who have cooperated in a sexual abuse or sexual harassment investigation.</p> <p data-bbox="240 577 1453 703">The agency has designated which staff members or departments are charged with monitoring retaliation. The agency has designated the PREA Committee to monitor staff and inmates for signs of retaliation. Specifically, at Miami, the PREA Compliance Manager facilitates the PREA Committee meetings. The PREA Committee designates a committee member (Unit Team Staff) to monitor a staff or inmate for signs of retaliation.</p> <p data-bbox="240 734 1474 896">The Auditor interviewed the PREA Compliance Manager. As the facilitator of the PREA Committee, the PREA Compliance Manager explained her role. In detail, the PREA Compliance Manager provided the Auditor with examples of protective measures to employ to protect an inmate or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. The Auditor also examined IDOC, PREA Retaliation Monitoring forms which included monitoring efforts that occurred in the last 12-month period.</p> <p data-bbox="240 927 1477 1052">Inmates being monitored were monitored face-to-face as necessary at intervals of 30, 60, 90-days. The PCM indicated that retaliation monitoring in rare instances could extend beyond 90 days if monitoring were deemed necessary. The Auditor examined sixteen (16) Sexual/Harassment Incident Reports. Where applicable, Miami implemented and documented retaliation monitoring of inmate victims of sexual abuse.</p> <p data-bbox="240 1084 1458 1209">During his interview, the Warden indicated that Miami employs multiple protection measures, such as housing changes or transfers for inmates' victims or abusers, removal of alleged staff or inmates' abusers from contact with victims, and emotional support services, for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.</p> <p data-bbox="240 1240 1477 1469">More, 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 the facility would 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, monitor disciplinary reports, act promptly to remedy any such retaliation occurring. Problematic for Miami was the fact that out of sixteen (16) investigative reports examined by the Auditor eight (8) were determined to be substantiated or unsubstantiated but five (5) sexual abuse incidents did not contain evidence of retaliation monitoring for at least 90 days following a report of sexual abuse as required in this standard.</p> <p data-bbox="240 1500 1481 1561">The facility PAQ, 115.67 (c) - 5, indicated the number of times an incident of retaliation occurred in the past 12-month period as zero (0). After corrective action, Miami met the requirements of Standard 115.67.</p> <p data-bbox="240 1592 879 1619"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1650 922 2018" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• PREA Retaliation Monitoring Form</li> <li>• Miami Correctional Facility Memo: PREA Standard 115.67 a-2</li> <li>• Miami Correctional Facility Memo: PREA Standard 115.67 c-1</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the Warden</li> </ul> <p data-bbox="240 2049 440 2076"><b>Corrective Action:</b></p> <p data-bbox="240 2107 1399 2134">The Auditor determined that some I &amp; I Investigators consistently conducted retaliation monitoring as required in this</p>

standard. Other investigators failed to complete the practice requirement of retaliation monitoring as outlined in this standard. The Auditor will monitor documented evidence of retaliation monitoring at Miami for at least 60-90 days.

Miami will provide the Auditor with documented evidence that where applicable retaliation monitoring is being conducted, 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.

Miami will document re-training of PREA Investigators on 115.67 and provide the Auditor with printed names and acknowledgement signatures of the completion of training.

Further, Miami will provide the Auditor with evidence of the completion of PREA Compliance Manager training provided by the PREA Coordinator for the newly appointed PREA Compliance Monitor who was designated as the facilitator of Retaliation Monitoring.

<b>115.68</b>	<b>Post-allegation protective custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1469 331">Policy 02-01-115 (Sexual Abuse Prevention) and Policy 02-01-107 (The Use and Operation of Protective Custody) address the requirement of Standard of 115.68.</p> <p data-bbox="240 360 1490 589">Miami will only restrict an inmate to a room as a last measure to keep an inmate who alleges sexual abuse safe and then only until an alternative means for keeping the inmate safe can be arranged. The PREA Compliance Manager confirmed that the facility has not placed an inmate who alleged to have suffered sexual abuse in an involuntary segregation unit. The Auditor interviewed random and targeted inmates during this audit. Each inmate sampled believed if their sexual safety were at issue, they would be protected from harm in segregation until transferred to another facility. Zero inmates sampled indicated being placed in segregation for a PREA related incident for greater than 30 days. Miami Correctional Facility met the requirements of Standard 115.68.</p> <p data-bbox="240 618 879 645"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="240 674 943 1106" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Policy 02-01-107 (The Use and Operation of Protective Custody)</li> <li>• Interview with the Warden</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Interview with staff who supervise segregation</li> <li>• Facility tour of the restrictive unit</li> <li>• Informal conversation with inmates in restrictive housing unit</li> </ul>

115.71	<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>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Policy 00-01-103 (Investigations and Intelligence)</li> <li>• Interview with the investigators</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Review: Probable Cause Affidavit (4) examples</li> </ul>

<b>115.72</b>	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1465 331">Policy 00-01-103, Investigations, and Intelligence and 03-02-10, Policy and Administrative Procedure, addresses Standard 115.72.</p> <p data-bbox="242 362 1461 456">“The Department of Correction shall establish an Office of Investigations and Intelligence (OI) that shall be responsible for conducting investigations of alleged misconduct by staff and offenders/youths and assisting in maintaining safety and security in the Department’s facilities.”</p> <p data-bbox="242 488 1493 680">The agency has established the standard for substantiation of an investigative incident of sexual abuse or sexual harassment as preponderance of evidence. According to the agency PREA Investigator who was interviewed telephonically during the audit process, when evidence supports criminal prosecution, the agency consults with the prosecutor prior to moving forward in the investigative process and conducting compelled interviews. Likewise, the same investigator she affirmed that the standard threshold for evidence when determining whether allegations are substantiated is preponderance of evidence. Miami Correctional Facility met the requirements of Standard 115.72.</p> <p data-bbox="242 712 879 739"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="242 770 884 1048" style="list-style-type: none"> <li data-bbox="242 770 536 797">• Pre-Audit Questionnaire</li> <li data-bbox="242 828 775 855">• Policy 00-01-103 (Investigation and Intelligence)</li> <li data-bbox="242 887 884 913">• Miami Correctional Facility Memo: PREA Standard 115.72</li> <li data-bbox="242 945 759 972">• Interview with the PREA Compliance Manager</li>   <li data-bbox="280 1025 603 1052">• Interview with the investigator</li> </ul>

<b>115.73</b>	<b>Reporting to inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="244 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="244 271 1490 398">Policy 02-01-115 (Sexual Abuse Prevention) and Policy 00-01-103 (Investigations and Intelligence) both address the requirement of Standard 115.73. The standard requires that after an allegation of sexual abuse the inmate shall be informed verbally or in writing as to whether the allegation was substantiated, unsubstantiated or unfounded. All such notifications and attempts at notification were documented by the facility.</p> <p data-bbox="244 432 810 459"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="244 488 788 801" style="list-style-type: none"> <li data-bbox="244 488 536 515">• Pre-Audit Questionnaire</li> <li data-bbox="244 544 738 571">• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li data-bbox="244 600 788 627">• Policy 00-01-103 (Investigations and Intelligence)</li> <li data-bbox="244 656 571 683">• Review of investigative files</li> <li data-bbox="244 712 759 739">• Interview with the PREA Compliance Manager</li> <li data-bbox="244 768 544 795">• PREA inmate notification</li> </ul>

115.76	<b>Disciplinary sanctions for staff</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1477 456">Policy 02-01-115 (Sexual Abuse Prevention) and Policy 04-03-103 (Information and Standards of Conduct for Departmental Staff) addresses the requirement of Standard 115.76. The policy outlines the agency's disciplinary response related to violations of PREA policies by staff. Specifically, disciplinary sanctions for staff may include termination. The policy specifically states that the presumptive disciplinary sanction for staff who engages in sexual abuse will be termination. The failure to participate in an investigation is also grounds for terminating employment.</p> <p data-bbox="240 488 598 515">The agency defines misconduct as:</p> <p data-bbox="240 546 1445 604">Behavior by a staff person which violates a standard, rule, regulation, policy, procedure, directive, written or verbal order, agreement, responsibility, performance expectation, or condition of employment of the State and/or the Department.</p> <p data-bbox="240 636 601 663">The agency defines staff person as:</p> <p data-bbox="240 725 1334 784">STAFF OR STAFF PERSON: All persons employed by the Department, including contractors and volunteers. Policy 04-03-103 Information and Standards of Conduct for Departmental Staff, specifically states;</p> <p data-bbox="240 815 1497 1012">A staff person who violates a State and/or Department standard, rule, regulation, policy, procedure, directive, written or verbal order, agreement, responsibility, or condition of employment may be subject to disciplinary action, up to and including dismissal, in accordance with IC 4-15-2.2-24 which states, "An employee in the unclassified service is an employee at will and serves at the pleasure of the employee's appointing authority, and may be dismissed, demoted, disciplined, or transferred for any reason that does not contravene public policy." Dismissal shall be the presumptive disciplinary sanction for a staff person that violates the Department's sexual abuse or sexual harassment policies.</p> <p data-bbox="240 1043 1490 1169">During the audit process and an interview with the HR representative the Auditor confirmed that staff terminated for violations of the State, agency sexual abuse or sexual harassment policies, would be reported to the relevant licensing bodies and law enforcement agencies (unless the activity or behavior was clearly not criminal). More, formal terminations and presumptive terminations</p> <p data-bbox="240 1200 1465 1258">by staff who would have been terminated if not for their resignation, would also be reported to law enforcement (unless the activity was clearly not criminal).</p> <p data-bbox="240 1290 1484 1415">The examination of evidence related to this standard was reviewed by the Auditor. in the past 12 months, Miami has four (4) criminal cases pending in the prosecutor's office for violating the agency policy and the Code of Ethics. Three (3) cases are PREA related policies and violating the departments zero tolerance policy regarding sexual abuse/harassment against an inmate. One case (1) is drug related allegation. Miami Correctional Facility met the requirements of Standard 115.76.</p> <p data-bbox="240 1447 877 1473"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1505 1222 2083" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 04-03-103 (Information and Standards of Conduct for Departmental Staff)</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Miami Correctional Facility Memo: Discipline Statement, Dated August 1, 2012</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Policy 04-03-103 Information and Standards of Conduct for Departmental Staff</li> <li>• Internet search: Indiana Code (IC) 4-15-2.2-24, Unclassified service; at will employee</li> <li>• Internet search: Inspector General's website: Code of Ethics, <a href="http://www.in.gov/ig/2236.htm">http://www.in.gov/ig/2236.htm</a>.</li> <li>• Notice of staff gate closures and terminations</li> <li>• Review of investigation files</li> <li>• Sexual Abuse Incident Review</li> </ul>



115.77	<b>Corrective action for contractors and volunteers</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1445 365">Policy 02-01-115 Sexual Abuse Prevention, Policy 04-03-102, Human Resources, Policy 00-01-103 Investigations and Intelligence, and Policy 04-03-103 Information and Standards of Conduct for Departmental Staff collectively address and outline the agency's disciplinary response related to violations of PREA policies by staff.</p> <p data-bbox="240 510 1485 604">Specifically, disciplinary sanctions for staff may include sanctions up to termination. Contractors or volunteers who engage in sexual abuse are prohibited from contact with inmates. Further, any contractor or volunteer who engages in sexual abuse is reported to: Law enforcement agencies or regulatory licensing bodies.</p> <p data-bbox="240 692 1481 750">Policy 04-03-102, Human Resources defines staff as: Any person(s) performing work on behalf of the Department, including contractors and volunteers' states:</p> <p data-bbox="240 840 1485 900">That any contractor or volunteer engaging in sexual abuse of inmates will be subject to referral to local law enforcement. The policy further requires that the contractor or volunteer be prohibited from having contact with inmates.</p> <p data-bbox="240 990 1481 1081">Confirmed by examination, the number of volunteers or contractors reported to local law enforcement for misconduct related to PREA, in the past 12 months was four (4). The contractors were terminated and "gate closed" preventing future contact with inmates.</p> <p data-bbox="240 1115 596 1142">The agency defines misconduct as:</p> <p data-bbox="240 1173 1453 1265">"Behavior by a staff person which violates a standard, rule, regulation, policy, procedure, directive, written or verbal order, agreement, responsibility, performance expectation, or condition of employment of the State and/or the Department."</p> <p data-bbox="240 1296 1222 1323">Policy 04-03-103 Information and Standards of Conduct for Departmental Staff, specifically states;</p> <p data-bbox="240 1355 1490 1514">A staff person who violates a State and/or Department standard, rule, regulation, policy, procedure, directive, written or verbal order, agreement, responsibility, or condition of employment may be subject to disciplinary action, up to and including dismissal, in accordance with IC 4-15-2.2-24 which states, An employee in the unclassified service is an employee at will and serves at the pleasure of the employee's appointing authority, and may be dismissed, demoted, disciplined, or transferred for any reason that</p> <p data-bbox="240 1554 1485 1646">does not contravene public policy. Dismissal shall be the presumptive disciplinary sanction for a staff person that violates the Department's sexual abuse or sexual harassment policies. Miami Correctional Facility met the requirements of Standard 115.77.</p> <p data-bbox="240 1680 812 1706"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1738 1112 2161" style="list-style-type: none"> <li data-bbox="240 1738 504 1765">• Pre-Audit Questionnaire</li> <li data-bbox="240 1796 699 1823">• Policy 02-01-115, Sexual Abuse Prevention</li> <li data-bbox="240 1854 632 1881">• Policy 04-03-102, Human Resources</li> <li data-bbox="240 1912 751 1939">• Policy 00-01-103, Investigations, and Intelligence</li> <li data-bbox="240 1971 1054 1998">• Policy 04-03-103, Information and Standards of Conduct for Departmental Staff</li> <li data-bbox="240 2029 727 2056">• Interview with the PREA Compliance Manager</li> <li data-bbox="240 2087 975 2114">• Examined termination notices for contractors and "gate closure notices"</li> <li data-bbox="240 2145 1112 2172">• Internet search: Indiana Code (IC) 4-15-2.2-24, Unclassified service; at will employee</li> </ul>

- Internet search: Inspector General's website: Code of Ethics, <http://www.in.gov/ig/2236.htm>
- Examination of sample investigation involving Aramark employee and Inmate John Doe 2

<b>115.78</b>	<b>Disciplinary sanctions for inmates</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1054 300">Policy 02-04-101 Disciplinary Code for Adult Offenders address Standard 115.78.</p> <p data-bbox="242 329 1485 490">Policy 02-04-101 Disciplinary Code for Adult Offenders states that sexual contact between persons that include touching of the intimate parts of one person to any part of another whether clothed or unclothed is prohibited and subject to disciplinary sanctions following an administrative finding or a criminal investigation that an inmates engaged in inmate-on-inmate sexual abuse and sanctions shall be commensurate with the nature and circumstances of the sexual abuse, the inmates disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.</p> <p data-bbox="242 519 1477 714">More, the Warden indicated during his interview that if a PREA related incident results in a disciplinary sanction, discipline would be commensurate with the nature, circumstances and scope of the abuse committed, the inmate's disciplinary history especially during the past twelve (12) month period would be a consideration, before imposing comparable sanctions for a comparable offense by an inmate with a similar history. The facility would consider if an inmate's mental disability or mental illness contributed to his behavior. When applicable Miami would consult with a mental health practitioner in consideration of sanctions being imposed on inmates with mental disabilities.</p> <p data-bbox="242 743 1485 871">The Auditor determined by examination that circumstances and disciplinary sanctions were comparable with other sanctions imposed on other inmates with similar offenses. A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred would not constitute making a false report of an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation according to the Warden.</p> <p data-bbox="242 900 1477 1196">Interviews with medical and mental health practitioners during the audit confirmed that the facility offers therapy, counseling, or other interventions designed to address the emotional trauma resulting from an incident of sexual abuse or sexual harassment. The same sample of medical and mental health practitioners confirmed that Miami also offers therapy, counseling, or other interventions to the sexual aggressor, to correct underlying reasons or motivations for the abuse. The Auditor found no evidence to support this aspect of the standard in investigative reports sampled. Inmates sampled during the audit denied that therapy, counseling, or other interventions are only offered as a condition to access other program offerings or inmate incentives or benefits. Furthermore, targeted inmates sampled confirmed at least one conference with a mental health practitioner for PREA related reasons. Some inmates sampled indicate that they declined services while others remain on the mental health caseload to address challenges brought on by a history of victimization or abusiveness.</p> <p data-bbox="242 1202 1485 1263">The facility tour included an inspection of the restricted housing unit. Inmates housed in segregation confirmed rounds were conducted on a consistent basis by medical and mental health practitioners.</p> <p data-bbox="242 1292 1485 1420">The facility prohibits all sexual activity between inmates and may discipline inmates for such activity. According to the PREA Coordinator and IDOC policy the facility will not deem unauthorized consensual sexual activity to constitute sexual abuse if it determines that the activity was not coerced. There were on zero cases of inmate-on-inmate sexual activity that were determined to be nonconsensual. Miami Correctional Facility met the requirements of Standard 115.78.</p> <p data-bbox="242 1449 879 1478"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1507 979 1883" style="list-style-type: none"> <li data-bbox="242 1507 536 1536">• Pre-Audit Questionnaire</li> <li data-bbox="242 1565 855 1594">• Policy 02-04-101 (Disciplinary Code for Adult Offenders)</li> <li data-bbox="242 1624 979 1653">• Miami Correctional Facility Memo: PREA Standard 115.78 a-3 &amp; a-4</li> <li data-bbox="242 1682 759 1711">• Interview with the PREA Compliance Manager</li> <li data-bbox="242 1740 472 1769">• Inmate handbook</li> <li data-bbox="242 1798 735 1827">• Sample: Conduct report Inmate John Doe 3</li> <li data-bbox="242 1856 716 1886">• Facility tour: Miami inmates in segregation</li> </ul>

<b>115.81</b>	<b>Medical and mental health screenings; history of sexual abuse</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="229 192 1509 255"><b>Auditor Discussion</b></p> <p data-bbox="229 255 1509 479">Policy 02-01-115 (Sexual Abuse Prevention) addresses the requirement of Standard 115.81. Inmates who disclose prior sexual victimization or who disclose previously perpetrating sexual abuse during an intake screening will be offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening. The facility obtains informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting. The Auditor interviewed targeted inmates who confirmed being advised of the limits to confidentiality by medical and mental health practitioners at the initiation of service.</p> <p data-bbox="229 479 1509 636">Staff interviews confirmed compliance with this policy. In the past 12 months, the percent of inmates who have previously perpetrated sexual abuse, as indicated during the screening, who were offered a follow up meeting with a mental health practitioner was 100%. Records examined onsite confirmed that Miami Correctional Facility met the requirements of Standard 115.81.</p> <p data-bbox="229 636 1509 680"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="229 680 1509 1155" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Offender information system</li> <li>• Auditor review of behavioral health and intake documentation</li> <li>• Sexual Violence Assessment Tool (SVAT)</li> <li>• Consent for treatment form</li> <li>• Interviews with medical and mental health staff</li> <li>• Interview with the PREA Compliance Manager</li> </ul>

<b>115.82</b>	<b>Access to emergency medical and mental health services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1398 331">Policy 02-01-115, Sexual Assault Prevention and the IDOC Sexual Assault Manual dated January 15, 2014 address Standard 115.82</p> <p data-bbox="242 362 1453 555">The agency and Miami by extension require timely and unimpeded access to emergency medical treatment, crisis intervention and victim advocacy services. The Auditor sampled specialized staff during the audit to determine their understanding of their role and responsibility under this standard. Specialized medical practitioners confirmed that Miami offers inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. Furthermore, the same practitioners confirmed that the nature and scope of service provided to the inmate population is based according to their professional judgment.</p> <p data-bbox="242 586 1489 745">The Auditor also examined sexual victimization incidents which occurred in the past 12 months where the inmate was transported to the hospital for examination by a SANE nurse. The victim was taken to a local hospital for an examination by a SANE Examiner, the collection of clothing and DNA evidence. The inmate was not charged for the forensic examinations. An investigation into an allegation during the reporting period demonstrated this practice although the investigation and medical documentation resulted in an unfounded outcome.</p> <p data-bbox="242 777 1489 936">IDOC has a contract with St. Vincent Hospital and Eskenazi Health services in place that includes Miami Correctional Facility to provide treatment services for inmate care. The Auditor determined compliance with Standard 115.21 (c) and 115.82 through review of PREA investigative incident reports of sexual abuse where a SANE examine was performed in a sample of 27 investigative files from the past 12-month period and the review of SANE forensic reports of services. Miami met the requirements of Standard 115.82.</p> <p data-bbox="242 967 810 992"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="242 1023 759 1397" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy 02-01-115 (Sexual Abuse Prevention)</li> <li>• Review of an investigation file</li> <li>• Interviews with medical staff</li> <li>• IDOC Sexual Assault Manual</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Interview with security first responder</li> </ul>

115.83	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="229 194 1509 255"><b>Auditor Discussion</b></p> <p data-bbox="229 255 1509 353">Policy 02-01-115 and IDOC Sexual Assault Manual mandates IDOC facilities provide victims with medical and mental health services equivalent to the level of care found in the community.</p> <p data-bbox="229 353 1509 474">Policy 02-01-115 and IDOC Sexual Assault Manual also mandates appropriate tests be provided to the inmate victim as determined by medical and mental health practitioners. Furthermore, if a sexual victimization occurs in an institutional setting, the inmate victim of sexual abuse would be offered tests for sexually transmitted infections as medically indicated.</p> <p data-bbox="229 474 1509 631">Policy 02-01-115 requires that Miami to attempt to obtain a mental health evaluation within 60 days of learning of inmate-on-inmate with a history of abusiveness and offer treatment to address the underlying reason for the behavior. Individual interviews with a sample of medical and mental health practitioners confirmed their understanding of their role and responsibility under Standard 115.83.</p> <p data-bbox="229 631 1509 730">The PREA Compliance Manager and Warden confirmed during individual interviews with the Auditor that medical services by policy are provided to the victim of a sexual assault at no financial cost.</p> <p data-bbox="229 730 1509 981">Indiana Code (IC) 11-10-3-5, Co-payment requirements; exceptions. IC 11-10-3-5 outlines circumstances when an inmate is not required to pay for medical services such as (1) the service is provided in an emergency; (2) the service is provided as a result of an injury received in the correctional facility; or (3) the service is provided at the request of the administrator of a correctional facility. The agency offers all inmates who experience sexual abuse access to forensic medical examinations on-site, without financial cost, where evidentiary or medically appropriate. Miami met the requirements of Standard 115.83.</p> <p data-bbox="229 981 1509 1041"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="229 1041 1509 1756" style="list-style-type: none"> <li data-bbox="229 1041 1509 1102">• Pre-Audit Questionnaire</li> <li data-bbox="229 1102 1509 1162">• Policy 02-01-115 (Sexual Assault Prevention)</li> <li data-bbox="229 1162 1509 1223">• Inmates handbook</li> <li data-bbox="229 1223 1509 1283">• Interview with specialized staff (medical and mental health practitioner)</li> <li data-bbox="229 1283 1509 1344">• Interview with the PREA Compliance Manager</li> <li data-bbox="229 1344 1509 1404">• Interview with the PREA Coordinator</li> <li data-bbox="229 1404 1509 1464">• Interview with the Warden</li> <li data-bbox="229 1464 1509 1525">• IDOC Sexual Assault Manual</li> <li data-bbox="229 1525 1509 1585">• Miami Correctional Facility: SANE Investigative report of inmate who reported sexual abuse and transported to a local hospital</li> <li data-bbox="229 1585 1509 1646">• Sample: reviewed SANE services provided to an inmate in 2020</li> </ul>

115.86	<b>Sexual abuse incident reviews</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1477 432">Policy 02-01-115, Sexual Assault Prevention addresses Standard 115.86. The facility PREA Committee is mandated by policy to complete 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. Such review shall ordinarily occur within thirty (30) days of the conclusion of the investigation. The agency requires the facility PREA Committee to:</p> <ol data-bbox="240 472 1477 1059" style="list-style-type: none"> <li>1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;</li> <li>2. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;</li> <li>3. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;</li> <li>4. Assess the adequacy of staffing levels in that area during different shifts;</li> <li>5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff;</li> <li>6. Prepare a report of its findings and any recommendations for improvement and submit the report to the Superintendent and Executive Director of PREA; and,</li> <li>7. The facility shall implement the recommendations for improvement or document its reasons for not doing so.</li> </ol> <p data-bbox="240 1090 1450 1184">The Auditor examined investigative reports, coupled with supplemental documentation from the past 12-month period. Problematic, the Auditor determined that Miami routinely did not conduct a committee incident review at the conclusion of every sexual abuse investigation with substantiated or unsubstantiated findings.</p> <p data-bbox="240 1216 1489 1408">Moreover, Miami Sexual Incident Review meeting minutes indicate that the review of the incident was limited to the author, in lieu of a committee review of the investigation. The Sexual Incident Review documents examined included the required consideration outlined in this standard, but the review was as mentioned, limited to the author of the document. The Auditor also determined that the Sexual Incident Review: Considered 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.</p> <p data-bbox="240 1440 1466 1599">More, the PREA Coordinator and the PREA Compliance Manager each confirmed during their interviews that the agency requires the PREA Committee to examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse and make recommendations to the Warden. Included in the incident review was the assessment of the adequacy of staffing levels during the incident and the assessment of whether monitoring technology should be deployed or augmented to supplement supervision by staff.</p> <p data-bbox="240 1630 1489 1758">The Auditor confirmed by examination that the Miami: Prepares 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 submits the report to the Warden, Interviews with staff revealed that they understood the purpose of the incident review team and the process. After corrective action, Miami Correctional Facility met the requirements of Standard 115.86.</p> <p data-bbox="240 1789 812 1816"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1848 991 2157" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Review of investigative sexual abuse reports in the past 12-month period</li> <li>• Interview with Sexual Abuse Incident Review Team member</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Review of facility PREA Committee Meetings Minutes</li> <li>• Miami Correctional Facility Memo: PREA Standard 115.86 a-2 &amp; b-2</li> </ul>

**Corrective action:**

Complete the incident review by committee of all substantiated and unsubstantiated incidents of sexual abuse for the prior 12-month period, document the committee review of the investigative reports. The sexual assault incident review team should include upper-level management officials and allow for input from supervisors, investigators and medical or mental health practitioners. Document attendance with a printed name, staff signatures and dates. Review Standard 115.86. Document training on Standard 115.86 for all PREA Committee members. Document attendance with a printed name, staff signatures and dates. Provide the Auditor with evidence of all corrective actions taken to gain compliance with this standard.



<b>115.87</b>	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>

<b>115.88</b>	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>

<b>115.89</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>

115.401	<b>Frequency and scope of audits</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 1469 365">During the tour of the facility the upcoming audit notice was found posted throughout the facility. The facility provided time-stamped electronic verification of the posting of the notice. All the agency required facilities were audited during the same time frame to meet the required deadline of one (1) audit within three (3) years.</p> <p data-bbox="240 398 1485 490">Furthermore, The Auditor examined the IDOC 2018, 2019 and 2020 Sexual Assault Prevention Program Annual Report. The PREA Coordinator during his interview outlined steps taken in 2020 by the agency to enhance and improve compliance with the Prison Rape Elimination Act (PREA) such as:</p> <p data-bbox="240 555 1477 647">The IDOC contracted the Moss Group for a project to improve the IDOC's sexual abuse investigations. The project included a review of current investigations, providing sexual abuse investigations training to agency Investigators and facility PREA Compliance.</p> <p data-bbox="240 712 1477 837">Because of the vast property and the escalating number of sexual abuse and sexual harassment allegations this Auditor highly recommends the utilization of additional cameras or additional staff supervision to enhance the sexual safety of staff and inmates at Miami. The Auditor determined from comparison that overall incidents of investigation into sexual abuse and sexual harassment increased from:</p> <p data-bbox="240 871 553 898">2017 - 35 cases 1 substantiated</p> <p data-bbox="240 931 571 958">2018 - 27 cases 1 substantiated</p> <p data-bbox="240 992 571 1019">2019 - 35 cases 1 substantiated</p> <p data-bbox="240 1052 778 1079">2020 - 119 cases 3 substantiated 89 unsubstantiated</p> <p data-bbox="240 1113 1410 1227">In 2020, the Indiana Department of Correction continued to make improvements in policy and practice to meet PREA standards. Training was provided to agency investigators tasked with sexual abuse investigations to ensure thorough investigations are being conducted and documented. The agency continues to improve video monitoring technology statewide and conduct job fairs. Miami Correctional Facility met the requirements of Standard 115.401.</p> <p data-bbox="240 1261 810 1288"><b>Evidence relied upon to make Auditor determination:</b></p> <ul data-bbox="240 1319 1070 1570" style="list-style-type: none"> <li data-bbox="240 1319 411 1346">• IDOC website</li> <li data-bbox="240 1379 1070 1406">• Interview with staff (random and specialized) and inmates (random and targeted)</li> <li data-bbox="240 1440 632 1467">• Interview with the PREA Coordinator</li> <li data-bbox="240 1500 523 1527">• Interview with the Warden</li> <li data-bbox="240 1561 727 1588">• Interview with the PREA Compliance Manager</li> </ul>

<b>115.403</b>	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>

<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 (c)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes
<b>115.12 (a)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	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 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.)	yes

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

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



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

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

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

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

<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	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).)	na
<b>115.31 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
<b>115.31 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

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

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



<b>115.35 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<b>115.35 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
<b>115.35 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
<b>115.41 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
<b>115.41 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	no
<b>115.41 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

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

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

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

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

<b>115.51 (b)</b>	<b>Inmate reporting</b>	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
<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.	yes
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

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

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



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

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

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

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

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

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

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

<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
<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.)	na
<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.)	yes
<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>115.401 (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