

PREA Facility Audit Report: Final

Name of Facility: Indiana State Prison

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 06/23/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Mable P. Wheeler	Date of Signature: 06/23/2022

AUDITOR INFORMATION	
Auditor name:	Wheeler, Mable
Email:	wheeler5p@hotmail.com
Start Date of On-Site Audit:	05/17/2022
End Date of On-Site Audit:	05/20/2022

FACILITY INFORMATION	
Facility name:	Indiana State Prison
Facility physical address:	1 Park Row, Michigan City, Indiana - 46360
Facility mailing address:	

Primary Contact	
Name:	Rhonda Brennan
Email Address:	rbrennan@idoc.in.gov
Telephone Number:	2198747256 x 2310

Warden/Jail Administrator/Sheriff/Director	
Name:	Ron Neal
Email Address:	rneal@idoc.IN.gov
Telephone Number:	219-874-1100

Facility PREA Compliance Manager	
Name:	Rhonda Brennan
Email Address:	rbrennan@idoc.in.gov
Telephone Number:	O: (219) 874-7256 x2310

Facility Health Service Administrator On-site	
Name:	Sherri Fritter
Email Address:	sfritter@idoc.in.gov
Telephone Number:	219-874-7256 x 5141

Facility Characteristics	
Designed facility capacity:	2434
Current population of facility:	2177
Average daily population for the past 12 months:	2130
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	18 and over
Facility security levels/inmate custody levels:	1-4
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	397
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	57
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	122

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

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

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

SUMMARY OF AUDIT FINDINGS

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

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

Number of standards exceeded:	
4	<ul style="list-style-type: none"> • 115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator • 115.31 - Employee training • 115.32 - Volunteer and contractor training • 115.33 - Inmate education
Number of standards met:	
41	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2022-05-17
2. End date of the onsite portion of the audit:	2022-05-20

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	Indiana Coalition Against Domestic Violence (outside confidential support services) Stepping Stone (victim Advocacy) Franciscan Alliance (SANE Contract)

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	2434
15. Average daily population for the past 12 months:	2130
16. Number of inmate/resident/detainee housing units:	15
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	2152
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	1

40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	1
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	2
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	3
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	0
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	3
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	7
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	3
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0
48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	The auditor was able to identify populations meeting the criteria above using the Inmate Roster provided by the facility.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	399
50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	115
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	57
52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	Indiana State Prison contracts for medical and mental health services with centurion.
INTERVIEWS	
Inmate/Resident/Detainee Interviews	

Random Inmate/Resident/Detainee Interviews	
53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	18
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	The auditor selected random Inmates for interview using the Inmate Roster. Inmates were selected from each housing unit, by race, ethnicity, age and length of time at the facility. The facility provided a list of offenders older than 65. Eighteen (18) random Inmates were selected for interview. During the site tour the auditor was able to conduct informal interviews with additional Inmates.
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	There were no barriers completing random Inmate interviews. Staff assisted the auditor and ensured that Inmates were readily available for interview. The auditor was provided adequate space to conduct interviews. All Inmate and staff interviews were conducted in complete privacy.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	22
As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	0

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input checked="" type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>There were Inmates with physical disabilities housed at the facility during the on-site portion of the audit.</p>
<p>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>2</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>3</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>2</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>There were Inmates who identified as gay or bisexual housed at the facility during the on-site portion of the audit.</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>3</p>

67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:	7
68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:	3
69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).	No Inmate has been placed in segregated housing.
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	All Inmate who had physical disabilities declined interviews with the auditor. The auditor received five (5) letters from Inmates prior to the on-site portion of the audit. All Inmates were selected for interview however, one (1) Inmate refused interview.
Staff, Volunteer, and Contractor Interviews	
Random Staff Interviews	
71. Enter the total number of RANDOM STAFF who were interviewed:	16
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None

73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	The auditor selected sixteen (16) random staff for interview by shift assignment, work assignment and rank. The auditor had no barriers completing staff interviews.
Specialized Staff, Volunteers, and Contractor Interviews	
Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.	
75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	20
76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

<p>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Agency contract administrator <input checked="" type="checkbox"/> Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment <input type="checkbox"/> Line staff who supervise youthful inmates (if applicable) <input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable) <input checked="" type="checkbox"/> Medical staff <input checked="" type="checkbox"/> Mental health staff <input checked="" type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches <input checked="" type="checkbox"/> Administrative (human resources) staff <input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff <input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations <input checked="" type="checkbox"/> Investigative staff responsible for conducting criminal investigations <input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness <input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation <input checked="" type="checkbox"/> Staff on the sexual abuse incident review team <input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation <input checked="" type="checkbox"/> First responders, both security and non-security staff <input checked="" type="checkbox"/> Intake staff <input type="checkbox"/> Other
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> Yes <input type="radio"/> No
<p>a. Enter the total number of VOLUNTEERS who were interviewed:</p>	<p>115</p>

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

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

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

<p>85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
88. Informal conversations with staff during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).	The auditor was able to move about the facility as needed. Adequate space was provided for auditor to conducted interviews in complete private with staff, inmates and contractors.

Documentation Sampling

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

90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?	<input checked="" type="radio"/> Yes <input type="radio"/> No
91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).	The audit reviewed 2022, 2021, and 2020 staffing plans, contracts with private vendor who house state inmates, multiple days of unannounced PREA rounds, staff and contractor training files, contract for interpreter service for LEP, investigations files, staff, contractors, inmates, investigators, medical, and mental health PREA training records to includes PREA Acknowledgement forms for compliance. The auditor reviewed initial risk assessment and the 30 day reassessments, and six (6) months reassessments for all inmates identifying as transgender.

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	4	0	4	0
Staff-on-inmate sexual abuse	4	0	4	0
Total	8	0	8	8

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

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

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	4	0	0
Staff-on-inmate sexual abuse	0	3	1	0
Total	0	7	1	0

Sexual Harassment Investigation Outcomes

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

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

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

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

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

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	8
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)

Inmate-on-inmate sexual abuse investigation files

100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	4
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<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>4</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>2</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>

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

<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>2</p>
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<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
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<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
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<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>The facility provided the auditor with investigation files for review. Files reviewed were found to be compliant with standards.</p>
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SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

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

<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>a. Enter the TOTAL NUMBER OF NON-CERTIFIED SUPPORT who provided assistance at any point during this audit:</p>	<p>1</p>
<h2>AUDITING ARRANGEMENTS AND COMPENSATION</h2>	
<p>121. Who paid you to conduct this audit?</p>	<p> <input type="radio"/> The audited facility or its parent agency <input type="radio"/> My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option) <input checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm) <input type="radio"/> Other </p>
<p>Identify the name of the third-party auditing entity</p>	<p>Diversified Correctional Services, LLC</p>

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Exceeds Standard
	<p>Auditor Discussion</p> <p>Policies and Documents Reviewed: Indiana Department of Correction (IDOC) Policy 02-01-115, Sexual Abuse Prevention, Indiana Department of Correction Organizational Chart; Statewide PREA Structure (Organizational Chart depicting lines of authority and responsibility for the Investigations and Intelligence Unit); Indiana State Prison Organizational Chart</p> <p>Interviews: PREA Compliance Manager</p> <p>Discussion of Policies Reviewed: Policy 02-01-115, Sexual Abuse Prevention, IV. PREVENTION PLANNING: A. Zero Tolerance of Sexual Abuse and Sexual Harassment; PREA Coordinator. 1. The Department shall maintain a position of zero (0) tolerance for all forms of sexual abuse and sexual harassment by staff, volunteers, contractors, or Inmates against Inmates. Sexual abuse and sexual harassment includes: abusive sexual contact by an offender against another offender; non-consensual sexual acts by an offender against another offender; staff/volunteer/offender/contractor sexual harassment of an offender; and, staff/volunteer/contractor sexual misconduct against an offender. This zero (0) tolerance of sexual abuse and sexual harassment applies to all Department facilities and all facilities and programs providing services to Inmates committed to the Department.</p> <p>2. The Department shall employ or designate an upper-level, agency-wide PREA Coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities.</p> <p>3. Each facility shall designate a PREA compliance manager with sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards. The Warden shall designate a staff person to serve as the PREA Compliance Manager. The staff person designated to serve in this capacity should be a staff person in a supervisory position who has broad experience and the knowledge, skills and abilities to implement and evaluate the facility's Sexual Abuse Prevention Program and compliance with all PREA standards.</p> <p>The duties of the PREA Compliance Manager shall include:</p> <ol style="list-style-type: none"> 1. Monitoring for PREA standards compliance at the facility by conducting quarterly compliance reviews. 2. Monitoring the need for new SART first responders to attend training. 3. Ensuring that the facility has a program for the evaluation, treatment, and counseling of sexual abuse victims and sexual abuse perpetrators. 4. Assisting in the identification and utilization of community resources available for the provision or development of emotional support services for Inmates through victim advocates and collection of evidence through forensic exams by SANEs or SAFEs. 5. Completing Sexual Incident Reports for all allegations of sexual abuse and sexual harassment occurring in the facility. This information can be found through the use of the facility incident reports and any other sources deemed appropriate. The SEXUAL INCIDENT REPORT is to be initiated no later than one week from the initial report of sexual abuse or sexual harassment being made or upon completion of the investigation. 6. Ensuring the PREA Potential Aggressor flags and PREA Potential Victim flags are updated in the offender information system/juvenile data system based upon the most recent Sexual Violence Assessment Tool. 7. Serving as Facility PREA Committee Chairperson; and. 8. Managing and preparing the facility for PREA audits by. <ol style="list-style-type: none"> a. Providing required facility documentation. b. Making staff and Inmates available for interview. c. Providing auditors a facility tour; and. d. Completing a corrective action plan, when applicable. <p>The Agency appears to have been proactive in instilling a zero-tolerance for all forms of sexual abuse, sexual harassment, and retaliation for reporting or for cooperating with an investigation. Specific to this facility, the Warden has designated the Administrative Assistant III as the PREA Compliance Manager. The PREA Compliance Manager's comprehensive approach to implementing a program for prevention, detection, responding and reporting sexual abuse and sexual harassment at this facility was impressive.</p> <p>The agency has policies mandating a zero-tolerance policy and the comprehensive PREA policy (02-01-115, Sexual Abuse Prevention) addresses the agency's comprehensive approach to prevention of sexual abuse and sexual harassment as well as its approach to detection, responding and reporting sexual abuse and sexual harassment. The agency's policy begins with a statement of policy and applicable procedures, followed by extensive sections on Prevention Planning, Responsive Planning, and Reporting with multiple subsections addressing the IDOC Procedures and the PREA Standards. The policy prohibits retaliation for reporting or participating in an investigation and mandates a zero tolerance for retaliation.</p> <p>Indiana State Prison is required to comply with the Indiana Department of Correction Policies, including PREA. The agency</p>

has also determined all facilities will comply with the Standards promulgated by the American Correctional Association and will undergo auditing by ACA. The Indiana Department of Correction PREA Policy addresses and integrates the elements of the PREA Program, and includes the agency's approach to prevention, detection, responding and reporting. The agency has identified sanctions for staff, contractor, or inmates for violating any agency sexual abuse or sexual harassment policy and presumptive sanctions for employees is termination, banning contractors and volunteers from further contact with inmates and from the facility, until the conclusion of an investigation. The ban is statewide, preventing the contractor or volunteer from entering any IDOC facility until an investigation has been completed.

Site Review: Observed though out the facility: PREA related posters; phones with PREA Hotline dialing instructions.

Zero Tolerance is referenced in multiple documents and publications including the Inmate Handbook, in PREA Acknowledgment Statements for staff, inmates, contractors and volunteer, on issued PREA brochures, in the PREA Video and continuously through multiple PREA related posters that were observed in virtually every are of this facility.

It is obvious that the Indiana Department of Correction and Indiana State Prison takes inmate sexual safety seriously. This is based on a number of factors. The Investigations and Intelligence Unit is involved in capturing data for planning, corrective action and other purposes. The agency and Investigations and Intelligence Unit has a PREA Analysts, who, collect and analyze the data that is submitted to the Investigations and Intelligence Unit on a monthly basis by each facility. They also provide a check and balance for collecting accurate information about sexual assault. Facilities are required to report all allegations of sexual abuse or harassment to the Investigations and Intelligence Unit.

The Investigations and Intelligence Unit, realizing the quality of the facility-based investigations needed to be monitored, has implemented a computer-based program to enable the PREA Director and Analyst to monitor investigations. This enables them to review the investigation and to require additional action, including instructing the facility- based investigators to look at other areas if warranted, prior to closure, for the investigation to be approved by the Investigations and Intelligence Unit. This provides a quality assurance component to evaluate investigations.

The Warden/Superintendent at each institution is charged with ensuring that all aspects of the agency's PREA Policy are implemented. The Warden has, as required, developed a Facility Directive ISP 14-06: "Sexual Assault Prevention - Coordinated Response" for response to sexual allegations. The Directive reflects the institution's unique characteristics and specifies how each institution will respond to sexual allegations and the notification procedures followed for reports of sexual allegations. (Facility Directive ISP 14-06: "Sexual Assault Prevention - Coordinated Response" discussed in standard 115.65).

The Warden/Superintendent is required to assign an Institutional PREA Compliance Manager, who also has sufficient time and authority to develop, implement and oversee the facility efforts to comply with the PREA Standards. Numerous initiatives ensure that PREA is a priority in each facility. These and other initiatives indicate a proactive approach to prevention, detection, responding and reporting sexual abuse and sexual harassment.

Inmates, staff, contractors and volunteers are trained on the zero-tolerance policy. They acknowledge and sign PREA Acknowledgment Statement.

The Sexual Assault Response Team (SART) is a multi-disciplinary team of staff first responders, medical and mental health practitioners, investigators and facility leadership. The Indiana State Prison has established the following procedures to follow when a report of sexual abuse has been made by an offender. This team will work in conjunction with outside agencies in a victim-centered approach regarding allegations and investigations of sexual abuse/assault.

The agency values training to assist in the agency's prevention efforts. The agency plans and provides additional training for Sexual Assault Response Team Members and PREA Compliance Managers. Sexual Assault Response Team (SART) attends training at least semi-annually. This training was documented in training rosters reviewed and through interviews with SART members.

Designated staff completed the NIC on-line Specialized Training for Investigating Sexual Abuse in Confinement Settings, in addition to the specialized training for their respective fields i.e., Medical and Mental Health staff attended training on Nursing Protocols and complete the NIC Training entitled, Medical Care for Victims of Sexual Abuse in a Confinement Setting. Qualified staff in most or all IDOC facilities is trained to serve as an advocate for victims of sexual abuse and are generally a part of the Sexual Assault Response Team.

Inmates are provided PREA related information upon admission to the facility during the intake process. During intake inmates are provided education and information about zero tolerance. Inmates also receive PREA information during orientation, they watch the PREA video, go over the PREA pamphlet explaining zero tolerance and how to report. Following the PREA education during orientation, the inmate signs the PREA Acknowledgment Statements acknowledging understanding zero tolerance and the consequences for being involved in an incident of sexual assault or sexual harassment.

Allegations and reports, regardless of the source, are required to be documented and investigated. Staff stated they would report the allegation immediately to their immediate supervisor and follow up with a written statement prior to the end of their shift. They said they would report "everything" regardless of how they received the information or whether it involved a staff, inmate, contractor or volunteer or visitor.

In an interview, the PREA Compliance Manager indicated she makes time to perform all of her PREA related responsibilities. She also indicated that she has the complete support of the Warden who has given her the authority and responsibility for implementing the standards and for maintaining compliance. The Facility Organizational Chart depicts the PREA Compliance Manager as having direct access to the Warden.

This standard is rated "exceeds" because of the Agency's and the Facility's commitment to zero tolerance to PREA. This was evident in interviews with the IDOC Commissioner, Warden, staff and inmates.

115.12	<p data-bbox="231 71 1508 1294">Contracting with other entities for the confinement of inmates</p> <p data-bbox="231 145 1508 190">Auditor Overall Determination: Meets Standard</p> <p data-bbox="231 212 1508 257">Auditor Discussion</p> <p data-bbox="231 280 1508 369">Policies and Documents Reviewed: Indiana Department of Correction (IDOC) Policy 02-01-115, Sexual Abuse Prevention, B. Contracting With Other Entities for the Confinement of Offenders, Manual of Policies and Procedures 02-01-115, pages 7-8, Indiana State Prison Pre Audit Questionnaire</p> <p data-bbox="231 392 1508 436">Interviews: Warden and PREA Compliance Manager</p> <p data-bbox="231 459 1508 593">Discussion of Policy and Documents Reviewed: State of Indiana Department of Correction (IDOC) Policy 02-01-115, Sexual Abuse Prevention, B. Contracting With Other Entities for the Confinement of Offenders, requires the Department to ensure that contracts and renewal contracts for the confinement of inmates with private agencies and governmental agencies include the entity's obligation to adopt and comply with PREA Standards.</p> <p data-bbox="231 616 1508 705">1. When the Department contracts for the confinement of its offenders with private agencies or other entities, including other government agencies, shall include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards.</p> <p data-bbox="231 728 1508 1064">2. Any new contract or contract renewal shall provide for Department contract monitoring to ensure that the contractor is complying with the PREA standards. The Department shall ensure that all agencies and organizations that house offenders committed to the Department, including county jails, group homes, private contractors, etc. are made aware of the Department's position. During inspections of county jails, county juvenile detention facilities, group homes, community corrections facilities or any facility holding Department offenders, the Executive Liaison for Sheriff and County Jail Operations or Director of Policy Development and Accreditation or designee(s) shall ensure that the facility being inspected has a mechanism in place to address allegations of sexual abuse and sexual harassment. Also, when contracts are prepared with agencies and organizations to house offenders for the Department, a provision shall be included to ensure that the agency/organization maintains zero (0) tolerance for sexual abuse and sexual harassment and has a mechanism in place to address allegations of sexual abuse and sexual harassment in accordance with PREA standards.</p> <p data-bbox="231 1086 1508 1198">The auditor reviewed six (6) contracts. Each of the reviewed contracts contained the same verbiage requiring the County to adopt the PREA Standards and comply with them. They also acknowledged that the Department monitors the facilities for compliance.</p> <p data-bbox="231 1220 1508 1288">Discussion of Interviews: Indiana State Prison does not contract for the confinement of Inmates. This was confirmed through interviews with the Agency Contracts Administrator, Warden and PREA Compliance Manager.</p>
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115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policy and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, C. Supervision and Monitoring, Indiana State Prison Staffing Plan dated 1/7/2020, Indiana State Prison Pre-Audit Questionnaire, Shift Roster, Memo Dated January 2021 - Staff Shortages</p> <p>Interviews: Warden and PREA Compliance Manager</p> <p>Discussion of Policy and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention, C. Supervision and Monitoring, requires each facility to develop, document and make its best efforts to comply on a regular basis with the established staffing plan that provides for adequate levels of staffing and where applicable, video monitoring to protect inmates against sexual abuse.</p> <p>C. Supervision and Monitoring: 1. The Department shall ensure that each facility it operates shall develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect offenders against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, facilities, shall take into consideration:</p> <ul style="list-style-type: none"> a. Generally accepted adult/juvenile detention and correctional practices. b. Any judicial findings of inadequacy. c. Any findings of inadequacy from Federal investigative agencies. d. Any findings of inadequacy from internal or external oversight bodies. e. All components of the facility's physical plant (including "blind- spots" or areas where staff or offenders may be isolated). f. The composition of the offender population. g. The number and placement of supervisory staff; h. Institution programs occurring on a particular shift; i. Any applicable State or local laws, regulations, or standards; k. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; l. Staffing ratios of 1:8 during waking hours and 1:16 during sleeping hours, except during limited and discrete exigent circumstances, which shall be fully documented and include on security trained staff (Division of Youth Services facilities Only); and, Any other relevant factors. <p>2. The staffing plan shall be reviewed, updated, and submitted to the assigned Executive Director of Adult Facilities, Executive Director of Youth Services, and Executive Director of PREA annually, no later than January 31 of each year.</p> <ul style="list-style-type: none"> a. In circumstances where the staffing plan is not compliant, the facility shall document and justify all deviations from the plan on shift reports. b. During the annual review of each facility staffing plan the assigned Executive Director of Adult Facilities or Executive Director of Youth Services, in consultation with the Executive Director of PREA, shall assess, determine, and document whether adjustments are needed to: <ul style="list-style-type: none"> 1) The staffing plan established pursuant to paragraph (1) of this section. 2) Prevailing staffing patterns. 3) The facility's deployment of video monitoring systems and other monitoring technologies; and, 4) The resources the facility has available to commit to ensure adherence to the staffing plan. c. Each facility shall require intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment on each shift. <p>Staff shall be prohibited from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility. Rounds will be documented in housing unit logs.</p> <p>Facilities are also required to document and justify all deviations on the Daily Post Roster. Annually, the facility, in consultation with the Department's PREA Coordinator, assesses, determines and documents whether adjustments are needed to the established staffing plan and deployment of video monitoring systems.</p> <p>The Indiana Department of Correction Policy requires each facility to develop a staffing plan addressing adequate staffing and deployment of video monitoring, in an effort to protect Inmates from sexual abuse. The Indiana Department of Correction facilities develop a stratification plan that essentially provides a brief overview of the facility and the plan for housing the population served by this facility. Indiana State Prison has developed and documented a staffing plan that provides for</p>

adequate levels of staffing to attempt to keep inmates safe. Indiana State Prison 2021 Staffing Plan was provided for review.

Plans are required to be documented and consider each of the items required by the PREA Standards. The Department (IDOC) sends teams to facilities to assess the staffing needs and, after identifying Priority One Posts and other lesser priority posts, applies formulas with consideration of relief factors and recommends allocating the number of staff to be adequate for the mission of that facility, this is known as a staffing analysis.

Staffing levels are essentially based on the mission of the facility, population served, security levels of Inmates, special needs of Inmates, programs, work details and the numbers of identified priority one posts. Priority one posts, are those that are so critical they must be manned 24/7. The facility may also have other posts that need to be staffed for optimum operational conditions but are a lesser priority than the posts that must be manned 24/7. Priority two and three posts are needed for the optimal operation of the facility but lower priority posts and may be closed or "pulled" in order to staff higher priority level posts. Some posts may be closed because their function has ceased at a given time of day or night.

In considering the layout of the facility, the staffing plan describes in detail staffing and video deployment. The plan requires intermediate level or higher-level staff to conduct and document unannounced rounds to identify and deter sexual abuse and sexual harassment. Rounds are to be documented in the area log books. Documentation verifying random unannounced rounds for a period for twelve months were being conducted, as per policy requires.

Policy requires unannounced rounds by supervisory staff with the intent of identifying and deterring sexual abuse and sexual harassment every week, including all shifts and of all areas. These rounds are documented in area logbooks and staffs are prohibited from alerting other staff of the rounds. Duty Officers are required to conduct unannounced rounds and these rounds are required to be documented in the Duty Officer's Logbook. Shift rosters confirmed the minimum staffing required. All priority one posts was staffed as required without deviations.

The staffing plan documented consideration of the inmate population and programs being held on different shifts, the presence of video monitoring and priority one (24/7) posts. The staffing plan review is conducted by the Warden and PREA Compliance Manager and then, by either the Executive Director of Investigations & Intelligence, or Assistant Executive Director of Investigations & Intelligence.

Indiana State Prison has developed and documented a staffing plan that provides for adequate levels of staffing to attempt to keep inmates safe. The staffing plan is documented; the last reviewed staffing plan was for the last year 2021.

Discussion of Interviews: The Warden described the staffing levels at the facility and identified the priority 1 posts that are covered 24/7, as well as priority 2 and 3 posts that can be pulled to cover a priority 1 post if needed. The Warden described the actions that would be taken to ensure a priority one post is never deviated from. Any deviation from mandated staffing levels is documented. The facility reports there have been no deviations from the staffing during the 12-months preceding the audit.

115.14	Youthful inmates
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1485 331">Policy and Document Review: Indiana Department of Correction Indiana Department of Correction (IDOC) Policy 02-01-115, Sexual Abuse Prevention, D. Youthful Offenders, Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 362 732 389">Interviews: Warden, PREA Compliance Manager</p> <p data-bbox="240 421 1425 546">Policy Review: The Indiana Department of Correction PREA Policy requires that youthful Inmates are sight and sound separated from adults and that where youthful Inmates are maintains they must be housed in a separate unit and have access to programs and exercise. When outside the unit, they must be sight and sound separate unless they are accompanied by and supervised by a correctional officer.</p> <p data-bbox="240 577 462 604">D. Youthful Offenders</p> <p data-bbox="240 613 1442 703">A youthful offender shall not be placed in a housing unit in which the youthful offender will have sight, sound, or physical contact with any offender eighteen (18) years of age or older through use of a shared day-room or other common space, shower area, or sleeping quarters.</p> <p data-bbox="240 734 1485 828">Youthful offenders shall be processed through a DYS Intake unit when being received by the Department. Youthful offenders will not be housed in adult facilities. They shall be housed in designated Division of Youth Services facilities in accordance with Policy and Administrative Procedure 01-04-102, "Classification Assignments for Youthful Offenders."</p> <p data-bbox="240 860 1474 918">There are no youthful Inmates assigned to this prison. This was confirmed through reviewed Indiana State Prison Pre-Audit Questionnaire, site review, and interviews with staff during the on-site audit.</p> <p data-bbox="240 949 1457 1008">Discussion of Interviews: Interviews with the Warden and PREA Compliance Manager confirmed youthful Inmates are not housed at this facility.</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1485 365">Policy and Document Review: Indiana Department of Correction Indiana Department of Correction (IDOC) Policy 02-01-115, Sexual Abuse Prevention, E. Limits to cross-gender viewing and searches; Indiana State Prison Pre- Audit Questionnaire; IDOC Policy 02-03-101, Searches, Training Module</p> <p data-bbox="240 394 1345 456">Interviews: Non-medical (involved in cross-gender strip or visual searches): Random Sample of Staff; Inmates; Transgender/Intersex Inmates</p> <p data-bbox="240 486 1474 680">Discussion of Policy and Documents Reviewed: The Indiana Department of Correction (IDOC) prohibits cross gender strip searches or cross-gender visual body cavity searches, and cross gender pat searches of females except in exigent circumstances that are approved and documented or when performed by medical practitioners. If this should occur, documentation is required via a IDOC Incident Report. This is confirmed through the reviewed policies, annual in-service training lesson plan, and interviews with both staff and inmates. In practice, interviews with staff and inmates confirmed that male staffs do not conduct cross gender strip searches however both male and female officers conduct pat searches.</p> <p data-bbox="240 710 724 739">E. Limits to cross-gender viewing and searches:</p> <ol data-bbox="240 768 1497 2011" style="list-style-type: none"> 1. Staff shall not conduct cross-gender strip searches or cross-gender visual searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. No staff shall conduct cross-gender strip searches except in emergency circumstances. Body cavity searches shall only be performed by medical personnel in accordance with Policy and Administrative Procedure 02- 03-101, "Searches." 2. Female facilities shall not permit cross-gender pat-down searches of female offenders, absent exigent circumstances. Facilities shall not restrict a female offender's access to regularly available programming or other out-of-cell opportunities in order to comply with this provision. Staff shall not conduct cross gender pat searches of male or female juvenile offenders except in exigent circumstances. 3. All cross-gender strip searches, cross-gender visual, cross-gender pat- down searches of female offenders, and cross gender pat searches of juvenile offenders conducted during emergency circumstances shall be thoroughly documented and provide justification for the search. Each incident shall be reviewed by the Warden or designee to determine that the exigent circumstances standard was met. Body cavity searches shall only be performed by medical personnel in accordance with Policy and Administrative Procedure 02-03-101, "Searches." 4. All offenders and juvenile offenders shall be afforded the ability to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in emergency circumstances or when such viewing is incidental to routine security rounds and cell checks. All staff of the opposite gender of the offender population shall announce their presence when entering an offender housing unit or bathroom area. Custody staff may announce their presence to the offender population in the housing unit in which they are assigned at the beginning of their duty shift. This announcement must be clear and done so in a manner that ensures all offenders in the unit were given reasonable notice of opposite gender staff being present. These announcements shall be documented in housing unit logs. Opposite gender staff shall make announcements prior to entering bathroom and shower areas to give offenders and students a chance to cover up when they are in a state of undress. 5. Opposite gender video surveillance monitoring of offenders who are confined to restrictive status housing or Protective Custody, or are in an area where offenders can be observed in a state of undress, other than incidental viewing or viewing for purposes of an investigation shall be prohibited. Offenders who are placed on constant observation status by Mental Health staff shall be provided constant visual supervision by a person of the same gender. 6. Staff shall not search or physically examine a transgender or intersex offender for the sole purpose of determining the offender's genital status. If the offender's genital status is unknown, it may be determined during conversations with the offender by medical and mental health staff, 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. 7. The Department shall train security/Custody staff how to conduct cross- gender pat searches, and searches of transgender and intersex offenders, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. <p data-bbox="240 2040 1490 2103">IDOC Policy does allow male staffs, who have been trained in conducting cross-gender searches, to conduct pat searches of female inmates. The facility's practices are consistent with IDOC Standard Operating Procedure, 02-03-101, Searches.</p> <p data-bbox="240 2132 1490 2161">The IDOC Search Policy in 1.d requires that a strip search of females shall be conducted by female correctional officers while</p>

males shall be strip searched by male correctional officers, however in an emergency such as an escape, riot etc., the provision may be waived.

IDOC Policy requires this requirement for prohibiting cross gender pat searches of females will not restrict female offender's access to regularly available programming or other out-of-cell opportunities in order to comply with the provisions. This facility does not house female inmates.

IDOC policy and practice requires that inmates can shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Showers are equipped with shower curtains/doors providing privacy while inmates showers; toilets are located in each cell and are behind closed doors. One hundred percent of the interviewed inmates confirmed they have privacy while showering and they are never naked in full view of staff while showering, using the restroom or changing clothing. Inmates confirmed, staff of the opposite sex always announces themselves when entering the housing units.

IDOC policy requires staff of the opposite gender to announce their presence when entering the housing units. Female staff working on the unit will announce once after taking the shift over however other female's coming into the unit must announce. The facility also requires inmates to announce anytime the Warden, or other administrative level staff enters the dorms. Signs are also posted in each dorm, explaining that female staff typically works in the dorms. Interviewed Inmates stated female officers do announce their presence when entering the housing area.

Policy requires that the facility refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status and if an inmate's genital status is unknown, the facility may 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.

One hundred percent of the interviewed staff affirmed they would not be allowed to search a transgender or intersex inmate for the sole purpose of determining the resident's genital status. They indicated essentially that they would ask them or have medical make that determination. The interviewed transgender inmate reported he has not been searched for the sole purpose of determining his genital status.

The reviewed Indiana State Prison Pre-Audit Questionnaire and interviews with staff confirmed that there have been zero cross-gender strip or body cavity searches during the past twelve months. All the interviewed staff confirmed that female staffs are prohibited from conducting cross-gender strip or body cavity searches unless there were exigent circumstances.

Discussion of Interviews: Interviewed staff affirmed they are prohibited from conducting cross-gender strip searches except in dire emergencies and then only if a male staff is not available. They indicated they are trained to conduct cross-gender pat searches and searches of Inmates in professional and respectful manner. They confirmed that search training, including cross gender pat searches and searches of transgender and intersex inmates in a professional and respectful manner is taught during Basic Correctional Officers Training, during in-service training.

The reviewed training module, reminds staff that security staff must conduct searches in a professional and respectful manner and in the least intrusive manner possible, consistent with security needs. Staffs are instructed that female staff may conduct strip and body cavity searches of male inmates only in exigent circumstances and must be documented on an incident report.

Discussion of Interviews: Staff of the opposite gender consistently announces their presence when entering housing units. The facility also documents in the log book when female staff are in the living units and the reasons she is in the unit. Most of the interviewed inmates affirmed female staff not working in the unit announces their presence when entering the housing units. Observation indicated that an inmate is assigned to announce to the unit anytime any visitor enters the unit. Female staff were observed making their announcement. Interviews with staff and Inmates confirmed inmates can shower, perform bodily functions and change clothing without being viewed by staff.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, F. Offenders with Disabilities and Offenders Who are Limited English Proficient; IDOC Standard Operating Procedures, Telephonic Interpreter; and PREA Brochures in English and Spanish; Instructions for Accessing Telephonic Interpreter; Indiana State Prison Pre Audit Questionnaire</p> <p>Interviews: Interviews with Agency Head; Inmates with disabilities and LEP, Random staff</p> <p>Discussion of Policy and Documents Reviewed: The agency and the prison appear to be committed to ensuring inmates with disabilities, including inmates who are deaf/hard of hearing, blind or low vision, intellectually disabled psychiatric-ally disabled or speech disabled have access to interpretive services that are provided expeditiously through professional interpretive services. They also appear to be committed to ensuring inmates with limited English proficiency have access to interpretive services.</p> <p>F. Offenders with Disabilities and Offenders Who are Limited English Proficient</p> <ol style="list-style-type: none"> 1. The Department shall take appropriate steps to ensure that offenders with disabilities (including, for example, offenders who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the Department's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with offenders who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the Department shall ensure that written materials are provided in formats or through methods that ensure effective communication with offenders with disabilities, including offenders who have intellectual disabilities, limited reading skills, or who are blind or have low vision. A facility is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act, 28 CFR 35.164. 2. Staff shall determine if an offender is in need of accommodations by reviewing the offender's mental health, education, and classification records in addition to interviewing the offender. Offenders that have a disability may be accommodated in accordance with Policy and Administrative Procedure 00-02-202, "Offenders/Students with Physical Disabilities." Accommodations may be made using a Braille version of the offender PREA brochure, an American Sign Language interpreter through a State QPA, showing the PREA video with closed captioning, reading the offender PREA brochure, etc. Mental Health or Education staff may assist with communications with offenders with developmental disabilities. 3. The Department shall take reasonable steps to ensure meaningful access to all aspects of the Department's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to offenders with limited English proficiency, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. 4. Written materials that communicate the sexual abuse prevention program will be provided in Spanish. Interpretive services, in-person and telephonic, are available to offenders with limited English proficiency through a state QPA. All facilities shall have an account with the contractor to utilize these services as needed. All staff shall be made aware that these services are available and the staff designated to provide access to the interpretive service. 5. The Department shall not rely on offender interpreters, offender readers, or other types of offender assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the offender's safety, the performance of first-response duties under 115.64/364, or the investigation of the offender's allegations. Offender interpreters shall not be used to provide the PREA education to offenders at intake to a facility. <p>These interpretive services may be accessible through a statewide contract that can be accessed by each IDOC facility, Telephonic Interpreter, IDOC Approved Bi-Lingual Staff, PREA Brochures in Spanish, Mental Health Counselors, GED and Literacy Remedial Instructors at the facility, in an effort to ensure all inmates have access to and the ability to participate in the agency's efforts at prevention, detection, responding and reporting sexual abuse and sexual harassment.</p> <p>Policy requires that during the intake and diagnostic process, staff, including security, education, medical, mental health, parole and classification will ask Inmates with hearing/visual disabilities their preferred way of communication during the first interaction in the intake/diagnostic process. That determination will prompt the intake/diagnostic staff to secure a Qualified Interpreter or use the Video Remote Interpreting for those with hearing impairments, a reader or other assistive technology,</p>

for those with visual impairments, or other specified preferred ways of effective communication. The preferred way of communication will be use throughout the intake/diagnostic process and this information will be documented in the Department's Database.

The prison has an agreement with Telephonic Interpreter to provide interpretation services. Telephonic Interpreter can provide interpretation services over the phone, video remote and through on-site interpreting. Contract services, it affirms, also includes American Sign Language. The facility also has PREA documentation available for inmates and is in English and Spanish format. If interpretation is needed for any other language, the contracted translation service provided by Telephonic Interpreter includes documentation translation.

The prison has a limited English proficiency procedure affirming the facility will provide all necessary means to provide LEP Inmates with PREA Information. This can be implemented through a staff interpreter, PREA Video and PREA Pamphlet in Spanish, Telephonic Interpreter, and PREA Posters in Spanish and English. In the past twelve months interpreter services had not been utilized by the facility.

Counseling staff are available to ensure that inmates with limited educational skills receive and understand how to access all the aspects of PREA, including prevention, detection, responding and reporting. Staff would read the PREA information to the inmate upon admission and additionally, PREA Education is provided verbally to clarify any issues. In addition, offenders are giving the "PREA Information Card" with contact information and ways to report sexual abuse and sexual harassment.

Observations: Posting of PREA Brochures in English and Spanish; "PREA Information Card"

In the past 12 months, the number of instances where inmate interpreters, readers, or other types of inmate assistants have been used and it was not the case that an extended delay in obtaining another interpreter could compromise the inmate's safety, the performance of first response duties under §115.64, or the investigation of the inmate's allegations: 0

Discussion of Interviews: The auditor conducted a previous telephone interview with the Agency ADA Coordinator.

Interviews with random staff indicated that staff would not rely on an inmate to translate for another inmate in making a report of sexual abuse or sexual harassment absent an emergency or exigent circumstance. Interpretive services would be accessed through Telephonic Interpreter. Interpreter services are available to accommodate inmates needing interpretative services. Staff interviewed were aware of how these services are accessed. LEP interviews were conducted for (4) four inmates, one (1) of whom was provided translation by a staff member.

According to the PREA Compliance, when the facility has a limited English proficient inmate needing translation services they are able to access the Telephonic Interpreter when needed. The facility places a call to a designated number and provides a code specific to the facility each time the translation service is utilized. Staff members have been provided cards outlining the process in compliance with the Facility Directive 16-03.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1465 360">Policies and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, G. Hiring and Promotion Decisions; Review of Applicants Qualifications; Indiana State Prison Pre Audit Questionnaire</p> <p data-bbox="240 396 630 423">Interview: Human Resources Manager</p> <p data-bbox="240 454 1469 745">Discussion of Policies and Documents Reviewed: The Indiana Department of Correction, as required in policy, prohibits the hiring or promotion of anyone or enlisting the services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997; who has 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; and the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the same activity. The Department considers any incidents of Sexual Harassment in determining whether to hire or promote anyone who may have contact with Inmates. Policy requires every employee, as a continuing affirmative duty to disclose any such misconduct.</p> <p data-bbox="240 777 592 804">G. Hiring and Promotion Decisions</p> <ol data-bbox="240 835 1485 2143" style="list-style-type: none"> 1. The Department shall not hire or promote anyone who may have contact with offenders, and shall not enlist the services of any contractor who may have contact with offenders, who: <ol style="list-style-type: none"> a. 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); b. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or c. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (1) (b) of this section. (See also Policy and Administrative Procedure 04-03-103, "Information and Standards of Conduct") 2. The Department shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with offenders. 3. Before hiring new employees who may have contact with offenders, the Department shall: <ol style="list-style-type: none"> a. Perform a criminal background records check. b. Consult any child abuse and sex offender registry maintained by the State or locality in which the employee would work; (Juvenile Facilities only) and. c. Human Resources staff shall make their best effort to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. The employment background check shall be documented on the PREA Questionnaire for Prior Institutional Employers form. 4. The Department shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with offenders. 5. The Department shall conduct criminal background records checks every four (4) years of current employees, contractors, and volunteers who may have contact with offenders. 6. The Department shall ask all applicants and employees who may have contact with offenders directly about previous misconduct described in paragraph 1 of this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The Department shall also impose upon employees a continuing affirmative duty to disclose any such misconduct. Human Resource staff shall ensure the Mandatory PREA Questions form is completed by the applicant prior to hire or promotion. 7. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination. 8. Unless prohibited by law, the Department shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee

has applied to work. The PREA Release of Information form shall be used to document the release of that information. This form must be signed by the former employee before the Department can provide the information. (Also, see Policy and Administrative Procedure 04-03-102, "Department of Correction Human Resources")

Additionally, unless prohibited by law, the Department will 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. IDOC Complies with the Federal Privacy Act and Freedom of Information Act, and all other applicable laws, rules and regulations.

Criminal History Record Checks are conducted on all employees prior to hire and every 4 years. Security staff must qualify with their weapons annually and prior to that annual qualification another background check is conducted. Criminal History Record Checks are conducted prior to enlisting the services of any contractor who may have contact with inmates. Staff have an affirmative duty to report and disclose any such misconduct. IDOC Policy requires that material omissions regarding misconduct or the provision of materially false information will be grounds for termination.

As part of the interview process potential employees and employees being promoted are asked about any prior histories that may have involved PREA related issues prior to hire and approval to provide services. Human Resources staff related that the PREA Questions are given to applicants and required to be completed.

IDOC requires applicants to disclose any disciplinary history involving substantiated allegations of sexual abuse and goes on to tell the applicant that IDOC requires supporting documentation must be obtained prior to the applicant being hired. Failure to disclose (omissions) that are material will result in the applicant not being considered.

In the past 12 months, the number of persons hired who may have contact with inmates who have had criminal background record checks: 57

In the past 12 months, the number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates: 4

Discussion of Interviews: The Human Resources staff indicated that all persons selected for employment or to provide services at the prison must consent in writing to a Criminal Background Check and a Driver History Consent to be conducted prior to officially hiring someone, all newly hired staff background checks include live scan Fingerprints. Upon review of personnel files, auditor noted that all (4) four year backgrounds, promotions, and new hire backgrounds had been completed timely.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Policy and Documents Reviewed: Department of Corrections Policy 02-01-115, Sexual Abuse Prevention; H. Upgrades to Facilities and Technologies, Indiana State Prison Pre-Audit Questionnaire</p> <p>Interviews: Agency Head and Warden</p> <p>Discussion of Documents and Policy Reviewed: Department of Corrections Policy 02-01-115, Sexual Abuse Prevention; H. Upgrades to Facilities and Technologies, requires all new or existing facility designs and modifications and upgrades of technology will include consideration of how it could enhance the Department's ability to protect inmates against sexual abuse. The PREA Coordinator must be consulted in the planning process.</p> <p>H. Upgrades to Facilities and Technologies</p> <ol style="list-style-type: none"> 1. When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the Department shall consider the effect of the design, acquisition, expansion, or modification upon the Department's ability to protect offenders from sexual abuse. 2. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the Department shall consider how such technology may enhance the Department's ability to protect offenders from sexual abuse. <p>The facility PREA Compliance Manager shall be included in planning at the facility level and the Executive Director of PREA shall be consulted in planning at the agency level.</p> <p>Observations: This facility has installed a new surveillance system during the 12 months preceding the audit.</p> <p>Discussion of Interviews: In interviews with the Warden and the Agency Head they confirmed that Indiana State Prison has had upgrades to the facility surveillance system since 2017. When updating a video monitoring system or electronic surveillance system, or other monitoring technology, the facility considers how the technology will enhance the facility's ability to protect inmates and deter sexual abuse.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1477 360">Policy and Documents Reviewed: IDOC Policy, 02-01-115, Sexual Abuse Prevention, V. Responsive Planning; A. Evidence Protocol and Forensic Medical Examinations, Policy 00-01-103, Investigations and Intelligence, Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 396 791 423">Interviews: Random Staff, PREA Compliance Manager</p> <p data-bbox="240 454 1453 544">Discussion of Policy and Documents Reviewed: The Indiana Department of Correction, 02-01-115, Sexual Abuse Prevention, V. Responsive Planning; A. Evidence Protocol and Forensic Medical Examinations; A. Evidence Protocol and Forensic Medical Examinations</p> <ol data-bbox="240 575 1493 1785" style="list-style-type: none"> 1. To the extent the Department is responsible for investigating allegations of sexual abuse; the Department shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. (Also see Policy and Administrative Procedure 00-01- 103 Investigations and Intelligence). 2. The protocol shall be developmentally appropriate for youth where applicable, and, as appropriate, shall be 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. 3. If the alleged incident occurred within one hundred twenty (120) hours of the report, staff shall ensure that appropriate actions are taken to preserve as much evidence as possible (e.g., if the sexual conduct involves intercourse, the alleged victim shall be instructed not to shower or otherwise clean themselves, drink, use the toilet, brush their teeth, remove clothing, etc.). If the alleged perpetrator is known, staff shall require them to follow the same actions as with the alleged victim in order to preserve any possible evidence of any sexual abuse. 4. The Department shall offer all victims of sexual abuse access to forensic medical examinations at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The Department shall document its efforts to provide SAFEs or SANEs. 5. Health Services staff can aid in the preservation of evidence by instructing both the alleged victim and alleged abuser not to take any actions that could destroy physical evidence and assisting with the arrangement of a forensic exam by a SANE at a local hospital at no cost to the offender whether they name an abuser or cooperate with the investigation. The Sexual Assault Nurse Examiner (SANE) is to provide the forensic exam component of the SART. Non-Facility SANE personnel will take a medical history, perform the physical assessment of the victim, collect, document, and initiate the preservation of physical evidence found on the victim and their personal effects. They will provide information on medical matters; document the examination and, if called upon, present expert testimony in court. Identification of SANE professionals in the local community shall be arranged by the PREA Compliance Manager and the contracted medical provider. Only qualified SANE professionals shall be utilized to conduct the forensic sexual assault examination. 7. As requested by the victim, the community victim advocate, qualified SART first responder shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals. 8. For the purposes of this section, a qualified staff member shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general through the SART First Responder training. <p data-bbox="240 1816 1477 1874">All inmate victims of sexual abuse are offered a forensic exam at no cost to the inmate/resident. This was confirmed through interviews and the HSA and the PREA Compliance Manager.</p> <p data-bbox="240 1906 1477 1995">The Sexual Assault Nurse Examiners are contracted with the Indiana Department of Correction to provide "on-site" forensic examinations. Franciscan Health Michigan City documented that they follow the National Protocol for Conducting Forensic Exams. Additionally,</p> <p data-bbox="240 2040 1493 2130">they provided a document entitled: "National Protocol for Sexual Assault Medical Forensic Examinations, 2nd Editions, and Major Updates" summarizing the major categories of revisions made in the second edition of the National Protocol for Sexual Assault Medical Forensic Examinations. The revised protocol has the same emphasis and values as the original but are</p>

updated to reflect current technology and practice. The protocol offers recommendations to help standardize the quality of care for sexual assault victims and is based on the latest scientific evidence.

Upon learning of a sexual assault, the facility nurse is required to complete the Nursing Assessment Form for Alleged Sexual Assault. If the determination is that a possible sexual assault occurred, the Nurse completes the Plan portion of the form.

This information documents notification of the Officer in Charge, SANE Nurse, and other notifications.

The number of forensic medical exams conducted during the past 12 months: 0

The number of exams performed by SANES/SAFEs during the past 12 months: 0

The number of exams performed by a qualified medical practitioner during the past 12 months: 0

Discussion of Interviews: Interview with the Health Service Administrator confirmed their roles in responding to an allegation of sexual abuse as well as the process for contacting the contracted Sexual Assault Nurse Examiner. Apart from conducting an initial assessment of the offender to determine if there is evidence of trauma requiring immediate medical intervention in accordance with good clinical judgment.

An interview The PREA Compliance Manager confirmed the facility has a MOU Indiana Coalition Against Domestic Violence to provide confidential support services and Stepping Stone for an advocate as needed for Inmate who victims of sexual abuse, the facility also has a trained staff member who, as needed can serve as an advocate for an inmate who had alleged sexual abuse. IDOC contracts with Franciscan Alliance who provide SANE exams for the agency.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Policy and Documents Reviewed: IDOC Policy, 02-01-115, Sexual Abuse Prevention, B. Policies to Ensure Referrals of Allegations for Investigations Indiana State Prison Pre-Audit Questionnaire

Interviews: Agency Head (Prior Interview), Facility Investigator

Discussion of Policy and Documents Reviewed: The Indiana Department of Correction Policy (02-01-115) requires that all reports of sexual abuse and sexual harassment will be considered allegations and will be investigated, that included any sexual behavior that was observed, that staff have knowledge of, or have received a report about, or a suspicion. Staff acknowledged that regardless of the source of the allegation, the allegation is reported and referred for investigation. If an allegation appears criminal in nature, it is referred to the Department's Office of Professional Standards Investigators who is Special Agents, trained extensively in conducting investigations and who has the power to affect an arrest of staff or inmate. Staff acknowledged that they understood that failing to report an allegation would result in disciplinary action or dismissal.

1. The Department shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.
2. All allegations of sexual abuse and sexual harassment shall be investigated even when the alleged perpetrator or alleged victim have left the Department's employment, or are no longer under Department authority. Allegations of sexual abuse shall be investigated by the facility's Investigations and Intelligence (I&I) staff. Allegations of sexual harassment shall be investigated by staff designated by the Warden to conduct administrative investigations. I&I investigators shall complete all investigations where evidence indicates a possible criminal violation. All investigations shall be documented in an investigation report. (Also see Policy and Administrative Procedure 00-01-103, "Investigations and Intelligence").

Investigation of Allegations of Sexual Contact, Sexual Abuse, and Sexual Harassment of Inmates, asserts it is the policy of the IDOC that allegations of sexual contact, sexual abuse, and sexual harassment filed by sentenced Inmates against departmental employees, contractors, vendors, or volunteers be reported, fully investigated and treated in a confidential and serious manner.

The Agency's PREA Investigation Protocol (Effective June 15, 2016) requires that every allegation (sexual abuse and sexual harassment) must be referred immediately to the local Sexual Assault Response Team with the local SART protocol initiated and investigations handled promptly, thoroughly, and objectively, incident notification made to the IDOC PREA Coordinator within 24 hours of initiating the SART Investigation.

The Indiana Department of Correction has established Sexual Assault Response Teams (SART) in each of the facilities; SART is responsible for the administrative investigation for all allegations of sexual abuse or sexual harassment. Indiana State Prison has a Sexual Assault Response Team that is responsible for conducting the initial sexual abuse investigations and sexual harassment investigations. The SART Facility Based Investigators are required to complete the National Institute of Corrections Specialized Training (online) entitled: "PREA: Investigating Sexual Abuse Investigations in Confinement Settings." The SART is made up of a facility-based investigator, a nurse, a counselor, and a staff advocate. The SART's role is to conduct an initial investigation into the allegation.

If an allegation appears to be criminal in nature, the SART will notify the Warden who will contact the applicable agency investigator. The agency will then appoint or designate Investigator, who has extensive investigative training to conduct the criminal investigation. Special Agents have been empowered to affect an arrest if necessary. They also work with the local District Attorney and recommend criminal charges when the evidence warrants it.

All investigations are documented and maintained. Investigations conducted by the Sexual Assault Response Team are entered into the IDOC's data base and are reviewed by the Investigations and Intelligence Unit and must be approved by the Investigations and Intelligence Unit prior to the investigation being finalized and closed in the system.

In the past 12 months, the number of allegations of sexual abuse and sexual harassment that were received: 9

In the past 12 months, the number of allegations resulting in an administrative investigation: 9

In the past 12 months, the number of allegations referred for criminal investigation: 0

Discussion of Interviews: The Agency Head and the Facility Investigator confirmed that all allegations of sexual abuse and sexual harassment are investigated. All staff are mandated reporters, meaning if a staff member hears a rumor from another inmate of an alleged incident, it will be taken seriously and investigated. The administrative investigation is conducted by the local SART team, should the incident be deemed to be criminal in nature the investigation is immediately reported to the agency for investigation.

115.31	Employee training
	Auditor Overall Determination: Exceeds Standard
	<p>Auditor Discussion</p> <p>Policy and Document Review: Indiana DOC Policy, 02-01-115, Sexual Abuse Prevention, VI. Training and Education; Reviewed 2018, 2019, 2020 and 2021 Itineraries, Lesson Plan for PREA; Training Rosters, Reviewed Personnel files containing PREA Acknowledgment Statements; Previous Rosters documenting Sexual Assault Response Team Training; PREA Acknowledgment Statements, Indiana State Prison Pre-Audit Questionnaire</p> <p>Interviews: Random Staff</p> <p>Discussion of Policy and Documents Reviewed: Indiana Department of Correction Policy 02-01-115 requires that staff are trained in the following: A.. Employee Training (115.31/331)</p> <ol style="list-style-type: none"> 1. The Department shall train all employees who may have contact with offenders on: <ol style="list-style-type: none"> a. Its zero-tolerance policy for sexual abuse and sexual harassment. b. How to fulfill their responsibilities under Department sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. c. Offenders' right to be free from sexual abuse and sexual harassment. d. The right of offenders and employees to be free from retaliation for reporting sexual abuse and sexual harassment. e. The dynamics of sexual abuse and sexual harassment in confinement. f. The common reactions of sexual abuse and sexual harassment victims. g. How to detect and respond to signs of threatened and actual sexual abuse. h. How to avoid inappropriate relationships with offenders. i. How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming offenders. j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities; and, k. Relevant laws regarding the age of consent. 2. This training shall include an explanation of inappropriate contact with offenders as described in Policy and Administrative Procedure 04-03-103, "Information and Standards of Conduct for Departmental Staff," and the prohibitions against sexual contact with offenders as stated in the Indiana Code (IC 35-44.1). As a part of this training, staff shall be provided with a brochure created to assist staff in identifying incidents of sexual abuse and sexual harassment. <ol style="list-style-type: none"> a. Such training shall be tailored to the gender of the offenders at the employee's facility and the unique needs and attributes of juvenile offenders (DYS facilities only). The employee shall receive additional training if the employee is reassigned from a facility that houses only male offenders to a facility that houses only female offenders, or vice versa. b. All new employees shall complete the PREA training during the new employee training process and all current employees shall complete the PREA training annually as part of the in-service training requirement. (Also see Policy and Administrative Procedure 01-05-101, "Staff Development and Training.") c. The Department shall document, through employee signature or electronic verification that employees understand the training they have received and shall be documented on the PREA Training Acknowledgement form. <p>Staff at the facility, in compliance with Indiana Department of Correction Policies, receives their initial PREA Training as newly hired employees (Pre-Service Orientation). A block of training for the new employees is dedicated to PREA.</p> <p>IDOC Policy requires that in-service training includes gender specific reference and training to staff as it relates to a specific gender population supervised; and staff that transfer into another facility from a different gender facility are required to receive gender-appropriate training.</p> <p>The auditor reviewed training rosters documenting Day 1 annual in-service training. Rosters documented 1 day on which annual in-service training was provided. Staff signatures were observed on those training rosters, PREA Acknowledgement Statements for staff and contractors provided by the facility.</p>

Observations: None applicable for this audit.

Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, Training and Education, requires annual training that includes the following: The Department's zero-tolerance policy, how to fulfill their responsibilities under the sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures, inmate's right to be free from sexual abuse and sexual harassment, the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment, the dynamics of sexual abuse and sexual harassment victims, how to detect and respond to signs of threatened and actual sexual abuse, how to avoid inappropriate relationships with inmates, how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual transgender, intersex or gender non-conforming inmates ; how to avoid inappropriate relationships with inmates and how to comply with relevant laws related to mandatory reporting of sexual abuse and sexual harassment. New employees receive PREA Training during Pre-Service Orientation. Staff receives annual in-service training that includes a segment on PREA. In-service training considers the gender of the inmate population. The facility provided the training curriculum covering the topics required by the PREA Standards.

The auditor reviewed multiple training rosters documenting Day 1, Annual In-Service Training, Staff and Contractor PREA Acknowledgment Statements.

Reviewed personnel files representing Newly Hired Staff, Promoted Staff and Regular Staff all contained PREA Acknowledgment Statements. These statements affirm that the employee has received training on the Department's Zero Tolerance Policy on Sexual Abuse and Sexual Harassment and that they have read the IDOC Standard Operating Procedure 02-01-115, Sexually Abusive Behavior Prevention and Intervention Program. They also affirm they understand that any violation of the policy will result in disciplinary action, including termination, or that they will be banned from entering any IDOC institution. Penalties for engaging in sexual contact with an offender committed, sexual assault, which is a felony punishable by imprisonment of not less than one or more, than 24 years, a fine of \$100,000 or both.

PREA Related posters are prolific and posted in numerous locations throughout this facility and in this facility the posters and notices are posted strategically throughout the facility and in each living unit. Posters are also posted in administrative segregation and disciplinary isolation.

Discussion of Interviews: Each staff member interviewed reviewed each of the required training topics and confirmed they had been trained in Annual In-Service on each of those topics. They stated they then receive PREA Training during annual in-service and that sometimes that training is in a class and sometimes on-line. They also indicated they receive information on various topics during shift briefings. Staff and contractors confirmed one hundred percent of them had completed PREA Training covering all the topics required by IDOC Policy and the PREA Standards.

Staff reported they are trained to take all allegations of sexual abuse/sexual harassment seriously and report everything, even a suspicion. They stated they would take a report made verbally, in writing, anonymously and through third parties and they would report these immediately to their shift supervisor and follow-up with a written statement or incident report before the end of their shift.

Staff also explained their roles as first responders. This included uniform and non-uniform staff. Non-Uniform staff articulated the role and steps of the first responder just like the uniformed staff. If an inmate reported being at risk of imminent sexual abuse staff stated, they would act immediately and remove the inmate from the threat and report to their immediate supervisor.

The facility provides PREA information cards to all staff. The cards are worn as part of their uniforms. The cards provide response information on LEP translation services, information on outside confidential support services, zero tolerance, and their requirement to report all knowledge, suspicion or information related to allegations of sexual abuse or sexual harassment, retaliation against inmate of staff who reported such incident and neglect or violation of responsibilities by staff that may have contributed to an incident or retaliation. All staff were very knowledgeable on report and response and understood their responsibility to keep all inmates safe. The standard is rated ("exceed")

115.32	Volunteer and contractor training
	Auditor Overall Determination: Exceeds Standard
	<p>Auditor Discussion</p> <p>Policies and Documents Reviewed: IDOC Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, B Volunteer and Contractor Training, Contractor and Volunteer PREA Acknowledgement Statement</p> <p>Interviews: Warden; PREA Compliance Manager; Contractors</p> <p>Observations: There were no volunteer activities during the on-site audit period due to Covid restrictions.</p> <p>Discussion of Policy and Documents Reviewed: 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, B Volunteer and Contractor Training:</p> <ol style="list-style-type: none"> 1. The Department shall ensure that all volunteers and contractors who have contact with offenders have been trained on their responsibilities under the Department’s sexual abuse and sexual harassment prevention, detection, and response policies and procedures. 2. All contractors, volunteers, interns, and community crew supervisors shall complete the PREA training curriculum that employees are required to complete. This training shall be completed prior to contact with an offender and shall be completed annually. 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 offenders, but all volunteers and contractors who have contact with offenders shall be notified of the Department’s zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents by being provided with a copy of the Staff PREA Brochure. 3. The Department shall maintain documentation confirming that volunteers and contractors understand the training they have received. The training shall be documented on the PREA Training Acknowledgement form. Training consist of the following: <ul style="list-style-type: none"> · Zero Tolerance. · Defining the Prison Rape Elimination Act. · Identifying Staff Awareness. · Discussion of the Dynamics of Sexual Abuse and Sexual Harassment. · Prevention and Reporting Procedures. · Sanctions. <p>Contract staff on the other hand unlike volunteers, is required to attend the same Annual In-Service Training that all staff attends. Contract staff stated in interviews with the auditor that they attend Day 1 Annual In-Service Training.</p> <p>Discussion of Policies and Documents that were reviewed: IDOC Policy, 02-01-115, Sexual Abuse Prevention, Training and Education, Volunteer and Contractor Training, requires all volunteers and contractors who have contact with inmates to be trained on their responsibilities under the Department’s PREA policies and procedures. This training is based on the services being provided and the level of contact with inmates, however all volunteers and contractors are required to be notified of the Department’s zero-tolerance policy and informed how to report such incidents. Participation must be documented to indicate the understanding of the training received.</p> <p>The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with the inmates. All volunteers and contractors who have contact with Inmates are notified of the Department’s Zero Tolerance policy regarding sexual abuse and sexual harassment and informed on how to report such incidents. Documentation of that training is on the Contractor/Volunteer Acknowledgment Statement.</p> <p>The auditor reviewed PREA Acknowledgement Statements for contractors and volunteers. The IDOC Acknowledgment Statements are for supervised visitors/contractors/volunteers. It acknowledges that they understand the agency has a zero-tolerance policy prohibiting visitors, contractors and volunteers from having sexual contact of any nature with Inmates. They agree not to engage in sexual contact with any offender while visiting a correctional institution and if they witnessed another having sexual contact with an offender or if someone reported it to the contractor/volunteer he/she agrees to report it to a corrections employee.</p> <p>They acknowledge, as well, the disciplinary action, including the possibility for criminal prosecution, if they violate the agreement. The Acknowledgment Statement for Unsupervised Contractors and Volunteers acknowledges training on the</p>

zero-tolerance policy and that they have read the agency's PREA Policy (02-01-115). They acknowledge they are not to engage in any behavior of a sexual nature with an offender and to report to a nearby supervisor if they witness such contact or if someone reports such conduct to them. They acknowledge the potential disciplinary actions and/or consequences for violating policy.

Sexual Assault/Sexual Misconduct Acknowledgment Statement for Contractors and Volunteers acknowledging zero tolerance, duty to report, and an acknowledgment that entry into the facility is based on the volunteer's agreement not to engage in any sexual conduct of any nature with any offender and to report such conduct when learned. The Volunteer acknowledges that the consequences for failing to report or violating the agreement will result in being permanently banned for entering all IDOC facilities and that IDOC may pursue criminal prosecution. Contractors complete the same training that staff are required to complete.

The number of volunteers and contractors, who may have contact with inmates, who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response: 69

Discussion of Interviews: Interviewed contractors confirmed they attend the same annual in-service training as Indiana Department of Correction Employees. The interviewed contracted affirmed she had a completed background check and was informed about the zero-tolerance policy as well as how to report and to whom to report.

The facility provides PREA information cards to all contractors and volunteers. The cards are worn as part of their uniforms. The cards provide response information on LEP translation services, information on outside confidential support services, zero tolerance, and their requirement to report all knowledge, suspicion or information related to allegations of sexual abuse or sexual harassment, retaliation against inmate of staff who reported such incident and neglect or violation of responsibilities by staff that may have contributed to an incident or retaliation. All contractor and volunteer were very knowledgeable on report and response and understood their responsibility to keep all inmates safe. The standard is rated ("exceed")

115.33	Inmate education
	Auditor Overall Determination: Exceeds Standard
	<p>Auditor Discussion</p> <p>Policies and Documents Reviewed: IDOC Policy 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, C. Offender Education, IDOC PREA pamphlet Spanish and English, A review of Inmate PREA Acknowledgment Forms and Orientation Checklists; Inmate files; Crossroads Rehabilitation Center contract for interpretive services, Indiana State Prison Pre-Audit Questionnaire</p> <p>Interviews: Staff conducting intake; Random Inmates</p> <p>Observations: PREA related posters were observed throughout the facility and accessible in multiple areas to inmates.</p> <p>Discussion of Policy and Documents Reviewed: IDOC Policy 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, C. Offender Education, requires notification of the IDOC Zero-Tolerance Policy for Sexual Abuse and Harassment and information on how to report an allegation at the receiving facility. This is required to be provided to every resident upon arrival at the facility. It also requires that in addition to verbal notification, Inmates are required to be provided an IDOC PREA pamphlet.</p> <p>C. Offender Education</p> <ol style="list-style-type: none"> During the Intake process, offenders shall receive information explaining the Department's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment by being provided a copy of the Offender PREA Brochure. <p>All offenders housed in the Department shall receive as a part of the orientation to a facility an educational segment regarding sexual abuse and sexual harassment prevention. The offender shall be provided with verbal, and written information regarding:</p> <ul style="list-style-type: none"> • The Department's zero tolerance of any sexual abuse and sexual harassment; • Offender rights to be free from sexual abuse and sexual harassment; • Offender rights to be free from retaliation for reporting sexual abuse and sexual harassment; • How to prevent sexual abuse; • Self-protection; • Reporting sexual abuse and sexual harassment; and, • Treatment and counseling available to offenders who are victims of sexual abuse. <p>As a part of the offender's orientation, the offender shall be given a brochure created by the Department advising the offender of the potential dangers of sexual abuse and sexual harassment and the Department's zero (0) tolerance for such behavior. Additionally, staff at the facility shall supplement the information in the brochure by providing information specific to reporting sexual abuse and sexual harassment at the facility. This information shall also be included in the facility's orientation information given to the offender. Staff shall address any questions the offenders might ask regarding sexual abuse and sexual harassment.</p> <ol style="list-style-type: none"> Within seven (7) days of Intake or transfer, the facility shall provide comprehensive education to offenders either in person regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding Department policies and procedures for responding to such incidents. All offenders shall receive PREA education upon transfer to a different facility. The Department shall provide offender education in formats accessible to all offenders, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to offenders who have limited reading skills. <p>The presentation of this information shall be in a manner that is easily understandable to the offenders. Staff shall determine if an offender is in need of accommodations by reviewing the offender's mental health, education, and classification records in addition to interviewing the offender. Offenders with English language proficiency issues or disabilities (i.e. hearing or visual impairment, mental health or learning disabilities) shall be provided assistance to ensure effective communication of the Department's Sexual Abuse Prevention policy and procedures for reporting abusive sexual behavior. This may involve staff reading the policy and procedure to the offender or utilizing an interpreter.</p> <ol style="list-style-type: none"> The Department shall maintain documentation of offender participation in these education sessions. <p>Additionally, it shall be noted in each offender's record that the offender received the brochure and was made aware of all appropriate information regarding the Department's Zero Tolerance for all sexual abuse and sexual harassment, including how to report it and how to obtain treatment if they become a victim. The offender shall sign an acknowledgement form</p>

indicating that this information was provided and understood. The acknowledgement form shall be filed in the offender's facility packet. (This shall be filed in Section 3 of the adult offender record and Section 4 of the DYS Youth record.) Accommodations described in item 4 of this section shall be documented on the bottom of the Offender Education form.

6. In addition to providing such education, the Department shall ensure that key information is continuously and readily available or visible to offenders through posters, offender handbooks, or other written formats. Offender PREA brochures shall be available upon request in all housing units and law libraries.

In the case of exigent circumstances, the training may be delayed, but no more than 30 days, until such time is appropriate for delivery (i.e. Tier Program, medical issues etc.). This education is documented in the same manner as for Inmates who participated during the regularly scheduled orientation.

The PREA Education must include: 1) The Department's zero-tolerance of sexual abuse and sexual harassment; 2) Definitions of sexually abusive behavior and sexual harassment; 3) Prevention strategies the offender can take to minimize his/her risk of sexual victimization while in Department Custody; 4) Methods of reporting; 5) Treatment options and programs available to offender victims of sexual abuse and sexual harassment; 6) Monitoring, discipline, and prosecution of sexual perpetrators; 7) and Notice that male and female routinely work and visit housing area.

PREA Education is required to be provided in formats, accessible to all Inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as those with limited reading skills.

Education, according to IDOC policy requires the facility to maintain documentation of offender participation in education sessions in the offender's institutional file. In each housing unit, policy requires that the following are posted in each housing unit: a) Notice of Male and Female Staff routinely working and visiting housing areas; b) A poster reflecting the Department's zero-tolerance (must be posted in common areas, as well, throughout the facility, including entry, visitation, and staff areas.

Inmates confirm their orientation on several documents.

1) Inmate Acknowledgment of PREA.

2) Offender Orientation Checklist (documenting Sexual Abuse and Harassment PREA education).

If an inmate is non-English speaking, the Crossroads Rehabilitation Center is available. If an inmate has a disability, appropriate staff are to be used to ensure that the inmate understands the PREA policy. The facility has a contract with Crossroads Rehabilitation Center/Crossroads Rehabilitation Center for interpretive services for the deaf and Inmates who are limited English proficient. Inmates who have literacy issues or who are cognitively challenged have access to the GED teacher and other staff who can read the PREA related information to them and mentally ill inmates have Mental Health counselors who can assist them in understanding PREA and how to report.

PREA information is presented to inmates in a manner that enables the inmate to understand and to participate fully in the Agency's prevention, detection, responding and reporting PREA efforts. If a limited English proficient resident was admitted, the facility has access to Crossroads Rehabilitation Center/ Crossroads Rehabilitation Center professional interpretive services.

Indiana Department of Correction (IDOC) Policy requires that incoming inmates, during intake, are provided notification of the IDOC's zero-tolerance policy for sexual abuse and harassment and information on how to report an allegation is provided to the inmate upon arrival. In addition to the verbal notification, Inmates will be given an IDOC PREA Pamphlet. When newly arriving inmates are processed, staff indicated that they inform the inmates of zero tolerance and how to report sexual misconduct. PREA education is one-on-one with each inmate upon arrival to the facility and consistently re-enforced. The standard is rated ("exceeds")

A review of inmate files indicated that inmates received information within 24 hours of admission and signed the PREA Acknowledgment Statement. The reviewed files contained Orientation Checklist affirming having received PREA information between 24 and 48 hours of admission documenting having received PREA education as required.

115.34	Specialized training: Investigations
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1449 365">Policy and Documents Reviewed: IDOC Policy 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, D Specialized Training for Investigations; Certificates documenting specialized training provided by the National Institute of Corrections: "Investigating Sexual Abuse in Confinement Settings"; Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 396 537 423">Interviews: Investigative Staff</p> <p data-bbox="240 454 1481 613">Discussion of Policies and Documents: IDOC Policy 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, D. Specialized Training: Investigations, requires all investigators are appropriately trained in conducting investigations in confinement settings. That training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity Warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The Department is required to maintain documentation of training.</p> <p data-bbox="240 645 627 672">D. Specialized Training: Investigations</p> <ol data-bbox="240 703 1481 976" style="list-style-type: none"> 1. In addition to the general training provided to all employees pursuant to 115.31/331, the Department shall ensure that all investigators have received training in conducting sexual abuse investigations in confinement settings. 2. Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. 3. The Department shall maintain documentation that Department investigators have completed the required specialized training in conducting sexual abuse investigations. <p data-bbox="240 1008 1481 1167">In IDOC Facilities, the Sexual Assault Response Team is charged with conducting the initial investigation into issues related to PREA. Their role is to determine if the allegation is indeed PREA related. If the allegation appears to be criminal in nature, the Office of Professional Standards investigators will conduct the investigation with support from the SART. Sexual Assault Response Team members are provided training conducted by the IDOC Investigations and Intelligence Unit at least twice a year. Training rosters were provided documenting the SART attendance at the training.</p> <p data-bbox="240 1198 1481 1258">Investigator received and completed the National Institute of Corrections on-line specialized training for investigating sexual abuse in a confinement setting but, documentation was provided to confirm training.</p> <p data-bbox="240 1290 1481 1449">The agency (IDOC) requires that investigators complete specialized training regarding conducting investigations of sexual abuse in confinement settings. The specialized training, in addition to the extensive training required for the Department's Office of Professional Standards and Special Agents, covers all the topics required by the PREA Standards: interviewing sexual abuse victims; Miranda and Garrity Warnings; Evidence Collection in Confinement Settings; and the Criteria for the evidence Required to Substantiate a Case for administrative action or criminal prosecution.</p> <p data-bbox="240 1480 1481 1572">The facility conducts its own administrative investigations of allegations of sexual assault, sexual harassment or retaliation. These are conducted by the Sexual Assault Response Team (SART). A primary investigator, referred to as the facility- based investigator, leads the investigation.</p> <p data-bbox="240 1603 1481 1695">If the allegation is not criminal, the facility's Sexual Abuse Response Team (SART) composed of the PREA Compliance Manager/SART Leader; a representative from medical and from mental health, the victim advocate and the Special Agent in Charge at the Regional Office is notified.</p> <p data-bbox="240 1727 1481 1818">The facility-based investigators understood the investigative process. The investigators have completed the online training "PREA: Investigating Sexual Abuse in a Confinement Setting". The investigators described the investigation process and indicated if an allegation appeared criminal the warden would refer the case to the agency to conduct the investigation.</p> <p data-bbox="240 1850 1481 2078">The agency has implemented a computer- based system in which the facility-based investigator inputs the components of the investigation for review by the Agency's PREA Coordinator and/or Assistant PREA Coordinator. If they believe additional information is needed, they inform the facility-based investigator and will not authorize the close-out of the investigation until the Investigations and Intelligence Unit approves the investigation. Interviews with the Facility-Based Investigator, PREA Compliance Manager (also trained to conduct investigations in confinement settings), Agency PREA Coordinator and a Special Agent (previous interview) confirmed the investigative process and the fact that the investigators have all completed specialized training in conducting sexual abuse investigations in confinement settings.</p> <p data-bbox="240 2110 1166 2136">The number of investigators currently employed who have completed the required training: 3</p>

Discussion of interviews: An interview with facility investigative staff confirmed the extensive specialized training they receive. The NIC training consisted extensive training in conducting investigations, including sexual abuse investigations, and training provided by the Department, that included a two-day training for investigating sexual assault in a confinement setting. The investigator described the criminal investigation process in detail, including protecting the crime scenes, collecting evidence (including swabs), using the Miranda Warning, collecting forensic exams (SANEs), and chain of custody for rape kits, interviewing alleged victims and perpetrators and interviewing witnesses.

The Specialized Training taken on-line, (PREA: Investigating Sexual Abuse in Confinement Settings); the facility-based investigators confirmed receiving the NIC training and was knowledgeable of the investigation process and correctly responded to the questions from the PRC Questionnaire for Investigators. The investigators indicated the investigation would be initiated immediately and described evidence that would be reviewed and considered. Staff would not require a victim to take a truth telling device as a condition for proceeding with an investigation, that the departure of an employee or an inmate would not stop the investigation and judge the credibility of a witness based solely on the evidence. (See 115.71 for further discussion).

115.35	Specialized training: Medical and mental health care
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1457 365">Policy and Documents Reviewed: Indiana State Prison Pre-Audit Questionnaire, IDOC Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, E. Specialized training: Medical and Mental Health Care; Training Logs; Centurion Specific Training specialized training</p> <p data-bbox="242 396 1422 456">Interviews: Health Service Administrator; Mental Health Counselor Observations: Reviewed SANE Logs for the last 12 months.</p> <p data-bbox="242 463 1493 689">Discussions of Policy and Documents: The Indiana State Prison Pre-Audit Questionnaire documented 100% of the medical staff completing the required specialized training. Department of Corrections Policy, 02-01-115.; Sexual Abuse Prevention, Policy, 02-01-115, Training and Education, E Specialized Training: Medical and Mental Health Care, requires the IDOC medical and mental health staff receive Specialized Training in PREA Medical and MH Standards curriculum. Certificates of Completion are required to be printed and maintained in the employee training file. Staff also must complete IDOC's annual PREA in-service training and that training is documented on the requested training rosters documenting Day 1 Annual In-Service Training.</p> <p data-bbox="242 721 935 750">E. Specialized training: Medical and Mental Health Care (115.35/335)</p> <ol data-bbox="242 781 1474 1301" style="list-style-type: none"> 1. The Department shall ensure that all full and part-time medical and mental health care practitioners who work regularly in facilities have been trained in: <ol data-bbox="242 871 1278 994" style="list-style-type: none"> a. How to detect and assess signs of sexual abuse and sexual harassment; b. How to preserve physical evidence of sexual abuse; c. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and, d. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. 2. Facility Health Services staff shall not conduct forensic examinations unless required by contract. Health Services staff shall provide emergent medical care and preserve physical evidence, as required by all staff, in coordination with investigators. 3. The Department shall maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the Department or elsewhere. 4. Medical and Mental Health care practitioners shall also receive the training mandated for employees under 115.31/331 or for contractors and volunteers under 115.32/332, depending upon the practitioner's status at the Department. <p data-bbox="242 1332 1469 1426">The facility does not conduct forensic examinations. If there was a sexual assault at this facility, the medical staff at Indiana State Prison would not conduct the forensic exam. The exam would be conducted by the IDOC contracted SANEs or at the emergency room depending upon the injuries the inmate incurred.</p> <p data-bbox="242 1458 1489 1619">All staff receives PREA training as newly hired employees and through annual in-service. Training includes recognizing signs and symptoms of sexual abuse, first responding as a non-uniformed staff, and how to report allegations of sexual abuse and sexual harassment, including how and to whom to report and follow-up with a written statement. Medical staff are trained in annual in-service training how to respond to allegations and how to protect the evidence from being compromised or destroyed.</p> <p data-bbox="242 1650 1404 1680">The Health Services Administrator related that all staff has completed the specialized training provided by Centurion.</p> <p data-bbox="242 1711 1453 1771">The number of all medical and mental health care practitioners who work regularly at this facility who received the training required by agency policy: 40</p> <p data-bbox="242 1803 1425 1863">The percent of all medical and mental health care practitioners who work regularly at this facility and have received the training required by agency policy: 100%</p> <p data-bbox="242 1895 1469 1955">Discussion of Interviews: An interview with the HAS, she indicated that medical and mental health staff have completed the required Specialized Training. She also affirmed regular PREA Training is received during annual in-service and refreshers.</p>

115.41	Screening for risk of victimization and abusiveness
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1477 362">Policy and Documents Reviewed: Indiana Department of Correction Policy 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, VII. Screening for Risk of Sexual Victimization and Abusiveness, Sexual Violence Assessment Tool; Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 398 1353 425">Interviews: Staff responsible for screenings, PREA Compliance Coordinator and Transgender and Gay Inmates</p> <p data-bbox="240 461 1465 577">Discussion of Policy and Documents: Indiana Department of Correction Policy 02-01-115, Sexual Abuse Prevention, VII. Screening for Risk of Sexual Victimization and Abusiveness, requires all inmates be assessed during intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.</p> <p data-bbox="240 613 1489 770">Policy requires counseling staff to conduct a screening for risk of victimization and abusiveness, in the offender database using the instrument, PREA Sexual Victim/Aggressor Classification Screening Instrument. Policy requires that the assessment is done within 24 hours of arrival at the facility. At this facility, interviews with a Counselor conducting the Victim/Aggressor Assessment and reviewed Victim/Aggressor Assessments indicated that the assessments are done as part of the admissions process and are done well within 24 hours of admission.</p> <p data-bbox="240 806 1489 896">All the reviewed assessments were completed within 24 hours of admission. Information from the screening will be used to inform housing, bed assignment, work, education and program assignments. Policy requires that outcome of the screening is documented.</p> <p data-bbox="240 931 1137 958">The Offender PREA Classification Details considers all the following sexual victim factors:</p> <ul data-bbox="240 994 1222 1527" style="list-style-type: none"> · Offender is a former victim of institutional rape or sexual assault. · Offender is 24 years old or younger or 60 years or older. · Offender is small in physical stature. · Offender has a developmental disability/mental illness/physical disability. · Offender's first incarceration. · Offender is perceived to be gay/lesbian/bisexual transgender/intersex or gender non-conforming. · Offender has a history of prior sexual victimization. · Offender's own perception is that of being vulnerable. · Offender has a criminal history that is exclusively non-violent. · Offender has a conviction(s) for sex offense against adult and/or child. <p data-bbox="240 1563 1477 1621">If question #1 is answered yes, the offender will be classified as a Victim regardless of the other questions. If six (6) or more of questions (2-10) are checked, the offender will be classified as a Potential Victim.</p> <p data-bbox="240 1657 1153 1684">The Offender PREA Classification Detail considers the following Sexual Aggressor Factors:</p> <ul data-bbox="240 1720 1126 1908" style="list-style-type: none"> · Offender has a history of institutional (prison or jail) sexually aggressive behavior. · Offender has a history of sexual abuse or sexual assault toward others (adult or child). · Offender's current offense is sexual abuse/sexual assault toward others (adult or child). · Offender has a prior conviction(s) for violent offenses <p data-bbox="240 1944 1430 2033">If question #1 is answered yes, the inmate will be classified as a Sexual Aggressor regardless of the other questions. If there (3) or more of questions (2-5) are checked, the offender will be classified as a Potential Aggressor.</p> <p data-bbox="240 2092 1461 2150">IDOC Policy 02-01-115, Attachment 4 also states in situations where the instrument classifies the offender as both Victim and Aggressor counselors are instructed to thoroughly review the offender's history to determine which rating will drive the</p>

offender's housing, programming, etc.

Staff are required to encourage inmates to respond to the questions to better protect them but, staff are prohibited from disciplining them for not answering any of the questions. The screening process considers minimally, the following criteria to assess inmate's risk of sexual victimization: Whether the inmate has a mental, physical, or developmental disability; the age of the inmate; the physical build of the inmate; whether the inmate has been previously incarcerated; whether the inmate's criminal history is exclusively nonviolent; whether the inmate has prior conviction for sex offenses against an adult or child; whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming; whether the inmate has previously experienced sexual victimization; the inmate's own perception of vulnerability and whether the inmate is detained solely for civil immigration purposes. It also considers prior acts of sexual abuse; prior convictions for violent offenses and history of prior institutional violence or sexual abuse, as known by the Department, Other factors considered are physical appearance, demeanor, special situations or special needs, social inadequacy and developmental disabilities.

Policy requires Inmates whose risk screening indicates a risk for victimization or abusiveness is required to be reassessed when warranted and within 30 days of arrival at the facility based up on any additional information and when warranted due to a referral, report or incident of sexual abuse or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

Policy requires that any information related to sexual victimization or abusiveness, including the information entered into the comment section of the Intake Screening Form, is limited to a need-to-know basis for staff, only for the purpose of treatment and security and management decisions, such as housing and cell assignments, education and programming assignments.

The information from the risk screening is required to be used to determine housing, bed, education and program assignments with the goal of keeping separate those Inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

In making housing assignments for transgender or intersex Inmates, the Department will consider on a case-by-case basis, whether a placement would ensure the offender's health and safety and whether the placement would present management or security problems. Also, in compliance with the PREA Standards, placement and programming assignments for each transgender or intersex offender will be reassessed at least twice a year to review any threats to safety experienced by the offender.

Policy also requires that Inmates who are at high risk for sexual victimization will not be placed in involuntary segregation unless an assessment of all available alternatives have been made, and determination has been made that there is no available alternative means of separation from likely abusers. If an assessment cannot be conducted immediately, the offender may be held in involuntary segregation no more than 24 hours while completing the assessment. The placement, including the concern for the offender's safety must be noted documenting the concern for the offender's safety and the reason why no alternative means of separation can be arranged. The facility will assign inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged. The assignment will not ordinarily exceed thirty days.

Policy requires that Inmates whose risk screening indicates a risk for victimization, or abusiveness will be reassessed whenever warranted due to an incident, disclosure or allegation of sexual abuse or sexual harassment. It also requires all Inmates to be reassessed within 30 days of arrival at the facility.

Screening is required to be conducted, in private in an office with the door closed, within 24 hours of arrival at the facility. A counselor who conducts the screening stated the initial PREA Assessment is conducted in the intake area, away from other inmates. When asked if that afforded the inmates privacy for answering those personal questions, the staff affirmed there are not inmates around or within hearing distance. They stated they ask the questions and the inmate responds. They also indicated the screening takes place the same day the inmate is admitted and is a part of the admissions and intake process.

If the offender scores out as a risk for victimization, the counselor lets the appropriate staff know so an appropriate housing assignment can be made, and she indicated she also must refer the offender to mental health within 24 hours using the IDOC Referral Form. She said she would also escort them to mental health. Reassessments are done within 30 days of arrival.

Staff related that transgender inmates are also reassessed every six months. The facility provided a list of transgender assessments and reassessments confirming they are now conducting the reassessments every 6 months as required.

Information from the PREA Assessment is used in an effort to house the inmate appropriately and to place him in programs and on details that are conducive to his safety and risk. The classification committee meets weekly and following admission;

the classification committee reviews the available information on the inmate, including the PREA Assessment.

The number of inmates entering the facility (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 72 hours or more and who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility: 362

The percentage of inmates entering the facility (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 30 days or more and who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake: 100%

Discussion of Interviews: Staff uses the IDOC Form PREA Sexual Violence Assessment Tool Screening and the questions are asked orally. The staff stated they cannot require an inmate to answer any of the questions on the assessment nor can inmates be disciplined for not doing so. The screening form considers things such as: 1) Prior victimization, 2) Weight, 3) Age, 4) Body type, 5) Disability, 6) Mental issues, 7) First incarceration or not, 8) Criminal history that is non-violent, 9) Sexual offenses, 10) Sexual abuse against adults, children etc., 11) Current offense, and 12) Prior convictions for violence. Staff also related that instead of stature the department instruments populate information in the system to assign a score for body mass index.

If an inmate endorses the 1st question regarding being a victim previously in an institutional setting, the resident is identified as a Risk for Victimization. If a resident endorses the first question on the abusive scale, he is designated as at Risk for Abusiveness.

Reassessments according to staff are required to be completed within 30 days after the initial assessment. Auditor reviewed the initial assessment and reassessment screening packets for inmates all were completed in a timely manner.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1469 331">Policy and Documents Reviewed: IDOC Policy 02-01-115, D. Screening for Risk of Victimization and Abusiveness, Section C. Use of Screening Information; Reviewed Assessments and Reassessments</p> <p data-bbox="242 360 1445 387">Interviews: PREA Compliance Manager, PREA Coordinator, Staff Responsible for Risk Screening, Transgender Inmates</p> <p data-bbox="242 418 1477 546">Discussion of Policies and Documents: IDOC Policy 02-01-115, C., Use of Screening Information Use of Screening Information, requires that information from the risk screening is used to guide housing, bed, work, education and program assignments, the goal of which is to keep separate those inmates at high risk of being sexually victimized from those at high risk for being sexually abusive.</p> <p data-bbox="242 575 564 602">C. Use of Screening Information</p> <ol data-bbox="242 631 1490 1305" style="list-style-type: none"> <li data-bbox="242 631 1410 725">1. The Department shall use information from the risk screening required by 115.41/341 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. <li data-bbox="242 757 1331 784">2. The Department shall make individualized determinations about how to ensure the safety of each offender. <li data-bbox="242 815 1490 943">3. In deciding whether to assign a transgender or intersex offender to a facility for male or female offenders (see Policy and Administrative Procedure 02- 01-118, "Transgender and Intersex Offenders"), and in making other housing and programming assignments, the Department shall consider on a case-by-case basis whether a placement would ensure the offender's health and safety, and whether the placement would present management or security problems. <li data-bbox="242 974 1474 1034">4. Placement and programming assignments for each transgender or intersex offender shall be reassessed twice each year to review any threats to safety experienced by the offender. <li data-bbox="242 1066 1422 1093">5. A transgender or intersex offender's own views with respect to their own safety shall be given serious consideration. <li data-bbox="242 1124 1355 1151">6. Transgender and intersex offenders shall be given the opportunity to shower separately from other offenders. <li data-bbox="242 1182 1461 1305">7. The Department shall not place lesbian, gay, bisexual, transgender, or intersex offenders in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such offenders. <p data-bbox="242 1337 1442 1498">Policy also requires that inmates at high risk for sexual victimization will not be placed in involuntary segregated housing unless an assessment of all available alternatives have been made and there is no alternative means of separation from likely abusers. If an assessment cannot be made immediately the offender may be held in involuntary segregation for no more than 24 hours while completing the assessment. The placement and justifications for placement in involuntary segregation must be noted. While in any involuntary segregation, the offender will have access to programs.</p> <p data-bbox="242 1529 1481 1691">Placement and programming assignments are based on the risk screening conducted within 24 hours of admission, as well as any other pertinent information contained in the inmate's file or in the offender database. The initial PREA Assessment may be used to determine housing initially however the classification committee of the facility meets weekly and considers the available information from a variety of sources, including the inmate's file, offender database, and any screening done at the facility prior to the classification committee meeting.</p> <p data-bbox="242 1722 1477 1850">Policy requires the agency and the facility use the 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; Bedding; Education Assignments and Program Assignments. This is required in IDOC Policy 02-01-115, C. Use of Screening Information.</p> <p data-bbox="242 1881 1484 1975">The facility flags offenders as potential victims, aggressors or both. Flagged offenders are housed in all living units, but separated by area so that aggressors are not placed in the same area as those identified as both or as victim. This allows all offenders access to housing, jobs and programming regardless of their flagged status.</p> <p data-bbox="242 2007 1474 2101">Offenders victim, aggressors or both are not placed in beds/cubicles adjacent to each other but may be housed in the same dorms. The facility has blocks of cells designed to house each type offender along with offenders who are not identified, so that other offenders are not able to identify who is identified as potential victims or aggressors or both.</p> <p data-bbox="242 2132 1445 2159">The facility Housing Stratification Plan is utilized when assigning beds for inmates at risk of victimization and aggressors.</p>

Housing assignments are made initially at intake and with input from the Staff conducting the initial victim/aggressor assessments. The classification committee, then meets weekly and reviews the offender's history to determine program assignments, details, and whether or not the offender's housing needs to be changed.

Discussion of Interviews: According to the Counselor, the classification committee would have a face-to-face meeting with each transgender coming into the facility and the offender would be asked if they felt vulnerable and if so, what might could the committee do to make them feel safer. The PREA Compliance Manager and Counselor indicated the offender's views for their own safety would be given serious consideration in deciding housing and work assignments for the inmate. They also stated if the inmate requested to shower separately because of safety and personal issues, the facility would strive to arrange that. Interviewed Transgender Inmates related in their interviews that they felt safe at the facility.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1437 365">Policy and Documents Reviewed: Indiana State Prison Pre-Audit Questionnaire; Indiana DOC Policy, 02-01-115, E. Protective Custody, Hot Line Call Report from the Indiana Department of Correction Investigations and Intelligence Unit, Incident Reports and grievances for the past 12 months; Assessments and 30 day Reassessments</p> <p data-bbox="240 394 740 423">Interviews: Warden, Staff supervising segregation</p> <p data-bbox="240 452 1485 712">Discussion of Policy and Documents: The Indiana State Prison Pre-Audit Questionnaire documented the facility did not place an inmate in involuntary segregation/protective custody during the past twelve months. The Indiana State Prison Pre-Audit Questionnaire documented that there was no inmate at risk of sexual victimization who were assigned to involuntary segregated housing at all; none held for 24 hours awaiting assessment and none in the past 12 months for longer than 30 days while awaiting alternate placement. Staff were aware of the requirements of IDOC policy which is consistent with the PREA Standards. The IDOC Policy, 02-01-115, Administrative Segregation, requires that Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers.</p> <p data-bbox="240 741 467 770">E. Protective Custody.</p> <ol data-bbox="240 799 1477 927" style="list-style-type: none"> 1. Offenders at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the offender in involuntary protective custody for less than twenty-four (24) hours while completing the assessment. <p data-bbox="240 956 1112 985">This assessment shall be documented on the PREA Housing Assignment Review form.</p> <ol data-bbox="240 1014 1458 1120" style="list-style-type: none"> 2. Offenders placed in protective custody for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document: <ol data-bbox="240 1149 676 1232" style="list-style-type: none"> a. The opportunities that have been limited. b. The duration of the limitation; and c. The reasons for such limitations. 3. The facility shall assign such offenders to involuntary protective custody only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days. 4. If an involuntary protective custody assignment is made pursuant to paragraph 1 of this section, the facility shall clearly document: <ol data-bbox="240 1424 957 1507" style="list-style-type: none"> a. The basis for the facility's concern for the offender's safety; and, b. The reason why no alternative means of separation can be arranged. 5. Every thirty (30) days, the facility shall afford each such offender a review to determine whether there is a continuing need for separation from the general population. <p data-bbox="240 1603 1450 1697">Protective custody reviews for adult offenders shall be conducted and documented in accordance with Policy and Administrative Procedure 01-04-101, "Adult Offender Classification," and Policy and Administrative Procedure 02-01-107, "Protective Custody."</p> <p data-bbox="240 1727 1477 1957">The Indiana State Prison Pre-Audit Questionnaire documented that there has been no inmate at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of an assessment. It also affirmed there have been no inmates who were held in involuntary or segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement. There have been no inmates placed in involuntary segregation as the result of having a high potential for victimization or for being at risk of imminent sexual abuse. This was confirmed through reviewing the Indiana State Prison Pre-Audit Questionnaire, sampled inmate files, and interviews with the Warden, PREA Compliance Manager, Staff Supervising Segregation, and randomly selected and targeted inmates.</p> <p data-bbox="240 1986 1477 2150">The Indiana State Prison Pre-Audit Questionnaire documented that there has been no inmate at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of an assessment. It also affirmed there have been no inmates who were held in involuntary or segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement. There have been no inmates placed in involuntary segregation as the result of having a high potential for victimization or for being at risk of imminent sexual abuse. This was</p>

confirmed through reviewing the Indiana State Prison Pre-Audit Questionnaire, sampled inmate files, and interviews with the Warden, PREA Compliance Manager, Staff Supervising Segregation, and randomly selected and targeted inmates.

If an assessment cannot be conducted immediately, the offender may be held in involuntary segregation no more than 24 hours while completing the assessment. This placement, including the concern for the inmate's safety is noted in case notes documenting the concern for the offender's safety and the reason why no alternative means of separation can be arranged. The inmate will be assigned to involuntary segregated housing only until an alternative means of separation can be arranged. Assignment does not ordinarily exceed a period of 30 days.

Inmates at high risk for sexual victimization are housed in the general population. They are not placed in segregated housing and would not be placed there unless there were no other options for safely housing the inmate/resident. Inmates identified as having a risk for victimization would be housed in General Population Dorms for Medium Security Level Inmates.

If there was no place to safely house a potential or actual victim, the victim will be temporarily housed in the administrative segregation area but would be expeditiously transferred to another facility.

If an inmate is assigned to involuntary segregated housing it is only until an alternative means of separation from likely abusers can be arranged and such an assignment does not ordinarily exceed a period of 30 days. If the facility uses involuntary segregation to keep an inmate safe, the facility documents the basis for their concerns for the inmate's safety and the reason why no alternative means of separation can be arranged. Reviews are conducted every 30 days to determine whether there is a continuing need for separation from the general population.

Inmates in involuntary protective custody, in compliance with policy, will have access to programs and services like those of the general population, including access to medical care, mental health, recreation/exercise, education, and the phone.

The number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment: 0

In the past 12 months, the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement: 0

From a review of case files of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged: 0

Discussion of Interviews: In an interview the Warden related there have been zero inmates placed in involuntary protective custody in the past 12 months. Inmates who are at high risk for sexual victimization may be placed in involuntary protective custody until some other means of keeping them safe could be arranged and that may include transfer to another facility. If they were placed in involuntary protective custody the justification would be documented.

Staff supervising segregation indicated that would try not to put an offender in segregation in the interests of not "punishing" a victim or potential victim. If a victim requested it, staff would place the inmate in voluntary protective custody in a single cell. He indicated the offender placed in involuntary protective custody would have access to the teacher, for education, counselors, recreation, medical and mental health.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1493 365">Policy and Documents Reviewed: Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, VIII Reporting, A. Offender Reporting, Inmate Handbook, PREA Training; PREA related posters; Calls to the PREA Hotline in the past 12 months, Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 396 1158 423">Interviews: PREA Compliance Manager, Random staff, Random Inmates, Targeted Inmates</p> <p data-bbox="240 454 1410 515">Observations: Phones in each dorm with dialing instructions; Kiosks for reporting sexual abuse; Inmates with Tablets; Multiple PREA Related Posters in Dorms and throughout the Facility</p> <p data-bbox="240 546 987 573">Testing Processes: PREA Phones, call made to the PREA Hotline, Tablets</p> <p data-bbox="240 604 1485 763">Discussion of Policy and Documents: Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, VIII. Reporting, A. Offender Reporting provides multiple ways for inmates to report. These include making reports in writing, verbally, through the inmate PREA Hotline and by mail to the Department of Correction. Inmates are encouraged to report allegations immediately and directly to staff at all levels. Reports are required to be promptly documented. The Department has provided inmates a sexual abuse hotline enabling inmates to report via telephone without the use of the inmate's pin number.</p> <p data-bbox="240 795 464 822">A. Offender Reporting</p> <ol data-bbox="240 853 1485 1585" style="list-style-type: none"> <li data-bbox="240 853 1485 1077">1. The Department shall provide multiple internal ways for offenders to privately report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Offender shall be able to make reports via an internal hotline on the offender phone system, verbal or written reports to any staff, filing a grievance, or having a third party make the report on their behalf. If the offender is not comfortable with making the report to the immediate point of contact line staff, the offender shall be allowed to make the report to a staff person with whom he/she is comfortable in speaking about the allegations. Staff shall ensure that offenders are aware of the manner in which reports can be made. <li data-bbox="240 1108 1485 1301">2. The Department shall also provide at least one way for offenders to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the Department, and that is able to receive and immediately forward offender reports of sexual abuse and sexual harassment to Department officials, allowing the offender to remain anonymous upon request. Offenders shall be permitted to make these reports to an outside organization that has been arranged through a Community Partnership Agreement or to another State agency. The Department does not have offenders detained solely for civil immigration purposes. All offenders have a sentence for a felony conviction. <li data-bbox="240 1332 1485 1426">3. Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports. All reports of sexual abuse and sexual harassment shall be documented in an Incident Report prior to the end of the shift. <li data-bbox="240 1458 1485 1585">4. The Department shall provide a method for staff to privately report sexual abuse and sexual harassment of offenders. Staff reporting sexual abuse and sexual harassment shall be afforded the opportunity to privately report such information to the Shift Supervisor, Investigations and Intelligence Investigator, PREA Compliance Manager, or the Executive Director of PREA via the Department Sexual Assault Hotline or PREA email posted on the Department website. <p data-bbox="240 1617 1474 1776">Staff have been instructed and trained to accept reports made both verbally and in writing from third parties and promptly document them. Inmates may file grievances as well however the agency has determined and asserted in the revised Standard Operating Procedure that allegations of sexual abuse and sexual harassment are not grievable issues because of the potential for losing time in responding. However, if a grievance is received and determined to be PREA related, the grievance is immediately turned over to the SART and an investigation begins.</p> <p data-bbox="240 1807 1474 1935">Third Party reports may be made to the. Interviews with staff, both random and specialized confirmed staff are required and trained to accept all reports, regardless of how they are made and regardless of the source, to notify their supervisor and write either an incident report or a statement as directed by the supervisor to document receipt of verbal reports, third party reports, anonymous reports etc.</p> <p data-bbox="240 1966 1465 2058">Inmates also have access to outside confidential support services including those identified in the PREA Brochure given to inmates during the admission process and posted throughout the prison. The following ways to report are provided: Call PREA; to any staff member; to the Executive Director of Investigations & Intelligence, (phone number provided).</p> <p data-bbox="240 2089 1410 2150">Inmates may call anyone on their approved list. They may also call their attorney's if they have one. Inmates have the opportunity to report through visits with family, calling family, or writing families.</p>

Multiple PREA related posters were observed posted throughout the facility keeping PREA information continuously available to inmates. Zero Tolerance Posters, located throughout the facility, as well as other PREA related posters, explaining that inmates have the right to report and listing some ways inmates may choose to report.

The agency and Indiana State Prison provide multiple ways for inmates to report sexual abuse and harassment both internally and externally. These include multiple ways to internally and privately report allegations of sexual abuse, sexual harassment, retaliation and staff neglect or violations that may have contributed to the incident.

This facility is close security prison and holds Inmates who have been convicted of felony crimes and are serving incarceration in the prison. The prison does not house any inmates who are being detained solely for civil immigration purposes.

Staff at this facility, in compliance with IDOC Policy, and the PREA Standards, accepts reports from all sources, including those from third parties and reports made anonymously. Policy requires that they report these to their immediate supervisor immediately and/or Designated SART member and follow-up with a written witness statement or incident report prior to the end of their shift. Interviewed staff indicated they would be disciplined for failing to report and that would most likely be termination.

Inmates are educated on ways they can report through multiple sources. These include information provided to them at intake and during orientation informing inmates of ways to report, including to outside entities. Through bright and vivid posters informing inmates that Rape is not a part of their sentence and how to report. The facility also provides inmates the tools to make reports. These include a Kiosk and tablets enabling them to email family, to notify staff and to email the IDOC Investigations and Intelligence Unit. They may also have video chats with family via the KIOSK. Inmates also have Tablets (tablets) that enable them to make reports of sexual abuse or sexual harassment at any time day or night, via email to the Investigations and Intelligence Unit. Phones are available for making calls to the Investigations and Intelligence Unit as well.

Staff are trained to treat all allegations as confidential. Therefore, when allegations are reported up the chain of command, they are kept private and are only forwarded to the Warden, who then determines who else needs to be notified. Typically, only the Sexual Assault Response Team and the Indiana Department of Correction Intelligent & Investigations will be informed.

Staff who fail to report allegations of sexual abuse or sexual harassment will be held accountable and sanctioned through dismissal. Allegations must result in staff reporting verbally immediately and filing an incident report or witness statement prior to the end of the shift.

Interviewed staff indicated they would take a report of sexual abuse or sexual harassment from any source and take all of them seriously and report it to their immediate supervisor and follow-up with a written report, a witness statement or incident report, prior to the end of the shift. They also stated they would take a third-party report, report it verbally, and follow-up with a written statement prior to the end of the shift.

115.52	Exhaustion of administrative remedies
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1485 362">Policy and Documents Reviewed: Indiana State Prison; IDC Policy, 02-11-115, Sexual Abuse Prevention; B. Exhaustion of Administrative Remedies, see Policies and Administrative Procedures 00-02-301, "Offender Grievance Process," and 03-02-105, "Student Grievance Process", Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 398 1187 425">Interviews: Inmates who reported Sexual Abuse Observations: Not applicable for this standard.</p> <p data-bbox="240 461 1062 488">In the past 12 months, the number of grievances filed that alleged sexual abuse: 0</p> <p data-bbox="240 524 1414 577">The number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months: 0</p> <p data-bbox="240 613 1433 703">Discussion of Policies and Documents: 02-01-115, Exhaustion of Administrative Remedies, states that all allegations of sexual abuse and sexual harassment are not grievable issues. These should be reported in accordance with methods outlined in the policy.</p> <p data-bbox="240 734 663 761">B. Exhaustion of Administrative Remedies</p> <ol data-bbox="240 797 1485 2159" style="list-style-type: none"> <li data-bbox="240 797 1485 887">1. The Department has administrative procedures to address offender grievances regarding a report of sexual abuse. (Also see Policies and Administrative Procedures 00-02-301, "Offender Grievance Process," and 03-02-105, "Student Grievance Process") <li data-bbox="240 913 1433 967">2. The Department shall not impose a time limit on when an offender may submit a grievance regarding an allegation of sexual abuse. <li data-bbox="240 1003 1469 1057">3. The Department may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse. <li data-bbox="240 1093 1449 1146">4. The Department shall not require an offender to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. <li data-bbox="240 1182 1458 1236">5. Nothing in this subsection shall restrict the Department's ability to defend against an offender lawsuit on the ground that the applicable statute of limitations has expired. <li data-bbox="240 1272 611 1299">6. The Department shall ensure that: <ol data-bbox="240 1335 1469 1451" style="list-style-type: none"> <li data-bbox="240 1335 1469 1388">a. An offender who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and, <li data-bbox="240 1424 1107 1451">b. Such grievance is not referred to a staff member who is the subject of the complaint. <li data-bbox="240 1487 1481 1541">7. The Department shall issue a final decision on the merits of any portion of a grievance alleging sexual abuse within ninety (90) days of the initial filing of the grievance. <ol data-bbox="240 1576 1433 1756" style="list-style-type: none"> <li data-bbox="240 1576 1433 1630">a. Computation of the 90-day time period shall not include time consumed by offenders in preparing any administrative appeal. <li data-bbox="240 1666 1433 1756">b. The Department may claim an extension of time to respond, of up to seventy (70) days, if the normal time period for response is insufficient to make an appropriate decision. The Department shall notify the offender in writing of any such extension and provide a date by which a decision will be made. <li data-bbox="240 1792 1485 1881">8. At any level of the administrative process, including the final level, if the offender does not receive a response within the time allotted for reply, including any properly noticed extension, the offender may consider the absence of a response to be a denial at that level. <li data-bbox="240 1917 1442 2033">9. Third parties, including fellow 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. <ol data-bbox="240 2069 1469 2159" style="list-style-type: none"> <li data-bbox="240 2069 1469 2159">a. If a third party, other than a parent or legal guardian, files 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 or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.

b. If the offender declines to have the request processed on their behalf, the Department shall document the offender's decision.

c. A parent or legal guardian of a juvenile shall be allowed to file a grievance regarding allegations of sexual abuse, including appeals, on behalf of such juvenile. Such a grievance shall not be conditioned upon the juvenile agreeing to have the request filed on their behalf.

10. The Department shall establish procedures for the filing of an emergency grievance alleging that an offender is subject to a substantial risk of imminent sexual abuse.

After receiving an emergency grievance alleging an offender is subject to a substantial risk of imminent sexual abuse, the Department shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken, shall provide an initial response within forty-eight (48) hours, and shall issue a final Department decision within five (5) calendar days. The initial response and final Department decision shall document the Department's determination whether the offender is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

11. The Department may discipline an offender for filing a grievance related to alleged sexual abuse only where the Department demonstrates that the offender filed the grievance in bad faith.

If a grievance alleged sexual abuse, it would be turned over to the SART to begin an investigation, as the grievance process ceases. Although policy asserts that allegations of sexual abuse or sexual harassment are not grievable, inmates have often used that as a form of reporting. In those cases, the grievance was turned over to the Sexual Assault Response Team to be investigated. During the last 12 months, no grievances alleging sexual abuse have been filed by an inmate at the facility.

115.53	Inmate access to outside confidential support services
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Policy and Documents Reviewed: IDOC Policy 02-01-115, C. Offender Access to Outside Confidential Support Services, PREA Related Posters; MOU with Indiana Coalition Against Domestic Violence; Stepping Stone (advocate), Franciscan Alliance (SANE/SAFE contract) Indiana State Prison Pre-Audit Questionnaire</p> <p>Interviews: Inmates who reported Sexual Abuse Observations: PREA posters throughout the facility</p> <p>Discussion of Policies and Documents Review: IDOC Procedures require the facility attempt to enter into an agreement with a rape crisis center to make available a victim advocate to inmates being evaluated for the collection of forensic evidence. Indiana State Prison has an MOU with Stepping Stone who would provide an advocate for an Inmate who suffers sexual abuse. SANE exams are provided by Franciscan Alliance.</p> <p>Victim advocates from the community used by the facility will be pre-approved through the appropriate screening process and subject to the same requirements of contractors and volunteer who have contact with inmates. Advocates serve as emotional and general support, navigating the inmate through the treatment and evidence collection process.</p> <p>The facility has a Memorandum of Agreement for an outside advocacy services, Indiana Coalition Against Domestic Violence, who will provide confidential support services and provided a 24/7 hotline for reporting sexual abuse. This was confirmed through interviewing the staff and the PREA Compliance Manager.</p> <p>C. Offender Access to Outside Confidential Support Services</p> <ol style="list-style-type: none"> 1. The facility shall provide offenders with access to outside victim advocates for emotional support services related to sexual abuse by giving offenders mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. The facility shall enable reasonable communication between offenders and these organizations and agencies, in as confidential a manner as possible. 2. The facility shall inform offenders, 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. 3. The Department shall maintain or attempt to enter into memorandum of understanding or other agreements with community service providers that are able to provide offenders with confidential emotional support services related to sexual abuse. The Department shall maintain copies of agreements or documentation showing attempts to enter into such agreements. <p>The IDOC does not detain offenders for civil immigration purposes. It is not possible for ISP to house offenders solely for civil immigration purposes.</p> <p>Inmates have access to their attorney's if they have one and may correspond with them, call them and visit with them at the prison. Professional visits are available during normal duty hours and by other appointment to accommodate them.</p> <p>Inmates have access to their parents or relatives daily via phone, through the mail, and through visitation. Inmates also have access to a Kiosk enabling them communicate via email with family members and others on their approved visitor's list. They also have Tablets from which they can email the IDOC Investigations and Intelligence Unit.</p> <p>Discussion of Interviews: The facility has entered into a Memorandum of Agreement for an outside support services with Indiana Coalition Against Domestic Violence. Stepping Stone will provide an advocate for victims of sexual assault to accompany him through the forensic process and any investigation interviews. SANE exams are conducted by Franciscan Alliance.</p>

115.54	Third-party reporting
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Policy and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention; The Department's Website contains a section entitled: IDOC Sexual Abuse and Sexual Harassment Reporting; Indiana Department of Correction Website (IDOCPREA @idoc.in.gov); The brochure entitled, "Sexual Assault Prevention Reporting for Visitors"; PREA Related Posters, Indiana State Prison Pre-Audit Questionnaire</p> <p>Interviews: Staff and Inmates</p> <p>Observations: Review of the Agency's Website (Indiana Department of Correction)</p> <p>Discussion of Policy and Documents: The Indiana Department of Correction and Indiana State Prison provide multiple ways for inmates to access third parties who may make reports on behalf of an inmate. IDOC provides contact information enabling Third Party reports to be made to the IDOC Office via website. This information is provided in the brochure given to visitors. The brochure entitled, "Sexual Assault Prevention Reporting for Visitors" provides the phone number and mailing address for the Department of Correction. A PREA hotline is also available for third party reports. The auditor tested a phone and found it operational. Dialing instructions are posted at the phone.</p> <p>D. Third-party reporting</p> <p>The Department shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an offender.</p> <p>Third party reports by family, friends, and other members of the public can be made electronically by submitting an email to IDOCPREA@idoc.in.gov or telephoning (toll free) the Department Sexual Assault Hotline at (877) 385-5877. This contact information shall be posted in visiting rooms, published in offender and visitor brochures, and on the Department's website.</p> <p>The agency also has a TIP Line accessible to inmates and third parties to report sexual abuse and sexual harassment. The Indiana Department of Correction Home page provides the phone numbers a third party could call to report sexual abuse or sexual harassment. The PREA brochure, An Overview for Inmates, "Sexual Assault Prevention Reporting for Visitors".</p> <p>Policy also requires, in 02-01-115, b. that staff will accept reports made verbally, in writing and from third parties and will promptly document any verbal reports.</p> <p>Discussion of Interviews: Staff were asked to name ways inmates can make reports or allegations of sexual abuse or sexual harassment. They consistently could name multiple ways and when asked if an inmate could report anonymously and through a third party, they said they could, and they would take those reports seriously like all other reports and would report it verbally and complete a witness statement before the end of their shift. Inmates may report via the PREA Hotline, either through the KIOSK in the dorms or using their Tablets. Most of the inmates who had family indicated a family member could report for them. One hundred percent of the staff said inmates could get a third party to report for them and that they would take that report seriously and act immediately.</p>

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1485 398">Policy and Document Review: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention, IX. Official Response Following and Offender Report, A. Staff and Indiana Department of Correction reporting duties; (PREA) Education Acknowledgment Statement; Agency and Staff Reporting, Staff and Agency Reporting Duties; Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 427 842 456">Interviews: Charge Nurse, Lead Psychologist, Random staff</p> <p data-bbox="240 486 1485 815">Discussion of Policy and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention IX. Official Response Following and Offender Report, A. Staff and Indiana Department of Correction reporting duties, requires staff who witness or receive a report of sexual assault, sexual harassment, or who learn of rumors or allegations of such conduct, must report information concerning incidents or possible incidents of sexual abuse or sexual harassment to the supervisor on duty and write a statement, in accordance with the Employee Standards of Conduct. The highest-ranking supervisor on duty who receives a report of sexual assault or sexual harassment, is required to report it to the appointing authority or his/her designee immediately. The supervisor in charge is required to notify the PREA Compliance Manager and/or SART Leader as designated by the Facility Directive Coordinated Response. Appointing authorities or his/her designee may make an initial inquiry to determine if a report of sexual assault, sexual harassment, is a rumor or an allegation.</p> <p data-bbox="240 844 994 873">IX. Official Response Following an Offender Report (See Facility Directive)</p> <p data-bbox="240 902 868 931">A. Staff and Indiana Department of Correction reporting duties.</p> <ol data-bbox="240 960 1485 2161" style="list-style-type: none"> <li data-bbox="240 960 1485 1088">1. The Department shall require all staff to report immediately and according to Department 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 Department; retaliation against offenders or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. <li data-bbox="240 1117 1326 1146">2. The agency shall also require all staff to comply with any applicable mandatory child abuse reporting laws. <li data-bbox="240 1176 1485 1272">3. Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in Department policy, to make treatment, investigation, and other security and management decisions. <li data-bbox="240 1301 1485 1397">4. Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph 1 of this section and to inform offenders of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services. <ol data-bbox="240 1426 1485 1615" style="list-style-type: none"> <li data-bbox="240 1426 1485 1523">a. Medical and mental health practitioners shall be required to report sexual abuse to designated supervisors and officials pursuant to paragraph 1 of this section, as well as to the designated State or local services agency where required by mandatory reporting laws. <li data-bbox="240 1552 1485 1615">b. Such practitioners shall be required to inform offenders at the initiation of services of their duty to report and the limitations of confidentiality. This shall be documented on the PREA Duty to Report form during the medical intake process. <li data-bbox="240 1644 1485 1706">5. Upon receiving any allegation of sexual abuse, the Warden or their designee shall promptly report the allegation to facility investigators. <p data-bbox="240 1736 1485 1798">For youths, the alleged victim's parents or legal guardians shall be notified, unless the facility has official documentation establishing that the parents or legal guardians should not be notified:</p> <ol data-bbox="240 1827 1485 2161" style="list-style-type: none"> <li data-bbox="240 1827 1485 1890">a. If the alleged victim is under the guardianship of the child welfare system, the report shall be made to the alleged victim's caseworker instead of the parents or legal guardians. <li data-bbox="240 1919 1485 1982">b. If a juvenile court retains jurisdiction over the alleged victim, the Warden or designee shall also report the allegation to the juvenile's attorney or other legal representative of record within fourteen (14) days of receiving the allegation. <li data-bbox="240 2011 1485 2161">6. If the alleged victim is 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." If the alleged victim is considered a vulnerable adult under the State vulnerable person's statute, the Department shall report the allegation by contacting the Adult Protective Services at Indiana Family and Social Service Administration (FSSA) in accordance with mandatory reporting laws.

7. The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators. Sexual abuse allegations shall be referred to Investigations and Intelligence investigators. Sexual harassment allegations shall be referred to staff designated to conduct administrative investigations.

Allegations of sexual assault and sexual harassment are major incidents and are required to be reported in compliance with policy. Once reported, an evaluation by the SART Leader/Team of whether a full response protocol is needed will be made. Appointing authorities or designee(s) are required to report all allegations of sexual assault with penetration to the Department's PREA Director immediately upon receipt of the allegation.

Staff, failing to comply with the reporting requirements of IDOC Policy, may be banned from correctional facilities or will be subject to disciplinary action, up to and including termination. If an alleged victim is under the age of 18, the Department reports the allegation to the Department of Family and Children Services, Child Protection Services Section. Staff are not to disclose any information concerning sexual abuse, sexual harassment or sexual misconduct of an offender, including the names of the alleged victims or perpetrators, except to report the information as required by policy, or the law, or to discuss such information as a necessary part of performing their job.

This facility does not house youthful inmates; however, policy requires if the victim was under the age of 18, the designee, is required to report the allegation to the Department of Family and Children Services, Child Protective Services Section. Also, if the victim is considered a vulnerable adult under Law, the Director of Investigations or designee will make notification to the appropriate outside law enforcement agency.

Policy requires that staff be aware of and attempt to detect to attempt to prevent sexual abuse, sexual harassment or sexual misconduct, through offender communications, comments to staff members, offender interactions, changes in offender behavior, and isolated or vulnerable areas of the institution.

The Indiana Department of Correction Policy (SOP 02-01-115) mandates that all staff, contractors and volunteers report any knowledge, suspicion, or information they may receive concerning sexual assault or sexual harassment. They are required to report any retaliation they know about or have observed or are aware of. Additionally, they are expected to report any knowledge or information related to staff negligence of misconduct that may have resulted in a sexual assault. Staff are required to keep confidential, any information, knowledge or reports of sexual abuse or sexual harassment they may receive other than reporting to those who have a need to know and for management and security decisions. Medical staff are required to report all allegations of sexual abuse that comes to their attention.

Staff are trained and policy requires that any information they obtain or become aware of is limited to a need-to-know basis and only for the purpose of treatment, security and management decisions, such as housing, work, education, and programming assignments.

At the initiation of services, medical, counseling and mental health personnel understand that they are required to inform inmates of their duty to report and the limitations of confidentiality and any information medical or counseling staff receive will be reported in compliance with policy. This was confirmed through interviews with the Health Services Administrator, Charge Nurse, a registered nurse, and Lead Psychologist.

Policies require all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports must be reported to the facility's designated investigators. All allegations are required to be reported to the staff's immediate supervisor who then notifies the Sexual Assault Response Team. The Warden/designee then will notify the IDOC Executive Director of Investigations & Intelligence. The Warden is responsible for ensuring the notifications are made as soon as possible.

The Department appears serious about Zero Tolerance, having a culture of zero tolerance and preventing sexual assault and sexual harassment and retaliation.

The training component for PREA also engages staff, with staff receiving Pre-Service Orientation as a newly hired staff during which they are exposed to the Prison Rape Elimination Act.

Staff are trained to report all allegations regardless of how those allegations came to light and to report them immediately to a designated shift supervisor. They may also report to any member of the Sexual Assault Response Team. Upon making verbal notification, they are required to document the allegation in a written statement or an incident report and these must be completed as soon as possible but always prior to the end of the shift (or leaving the shift). Policy requires that reports of allegations of sexual assault or sexual harassment are limited to those with a need-to-know only and reports to the Shift Supervisor to come to the area or taking the Inmate to the Supervisor's Office. Interviewed staff confirmed they are going to keep the reports limited to their immediate supervisor and anyone else on a need- to-know basis.

Medical, Counselors and Mental Health providers are required to report any knowledge, information, reports, or suspicions of sexual abuse or sexual harassment and are required to inform inmates at the initiation of services of the limits of

confidentiality and their duty to report. This was confirmed through interviewing the Charge Nurse and the Lead Psychologist, these staff are all mandated reporters.

Discussion of Interviews: The Agency and the Warden requires that staff report all knowledge or information they have regarding an incident of sexual abuse or sexual harassment. This also includes reporting anything suspected. Randomly selected staff, both security and non-security staff affirmed that they must report "everything". When pressed about "everything" they consistently said they would report anything they knew, saw, or heard of. When asked about something they just suspected, they said they would have to report that as well. When asked if they would take an "anonymous" report and report it, they said they did not know how that would help but they would report it. Asked about another inmate reporting for another, they said they would take that seriously and report it also. They also affirmed they would be required to write a statement following an immediate report to their shift supervisor/Officer in Charge. When asked about a time frame for completing a written report they said within 24 hours was policy they thought but they could not leave the shift until the statement was written. Staff indicated they had to take all things seriously even if the inmate had been known to "cry wolf".

Non-Uniform staff were as articulate as the security staff about reporting. Everyone indicated they too would report all information, knowledge, or suspicion regarding sexual abuse. When asked about reporting staff negligence that may have contributed to an incident of sexual abuse, they said they would report that as well. When asked if they would report their supervisor if they witnessed or heard of the supervisor violating the zero-tolerance policy, they said they would. When asked about any sanctions for failing to report, staff said they would be disciplined and most likely terminated.

115.62	Agency protection duties
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 1453 331">Policy and Documents Reviewed: Pre-Audit Questionnaire, IDOC Policy 02-01-115, Sexual Abuse Prevention, B. Indiana Department of Correction Protection Duties; Calls to the PREA Hotline in the past 12 months report; Incident Reports</p> <p data-bbox="242 360 588 389">Interviews: Warden, Random Staff</p> <p data-bbox="242 418 1469 613">Discussion of Policy and Documents: IDOC Policy 02-01-115, Sexual Abuse Prevention, B. Indiana Department of Correction Protection Duties requires that upon learning of a sexual abuse, staff are to separate the alleged victim and abuser and ensure the alleged victim has been placed in safe housing which may be protective custody in accordance with policy. If the inmate victim is placed in Protective Custody, a noted indicating the reason for the placement. If the offender remains in Protective Custody for 72 hours, ensure that the Sexual Assault Response Team has again evaluated the victim within 72 hours.</p> <p data-bbox="242 642 788 672">B. Indiana Department of Correction Protection Duties</p> <p data-bbox="242 701 1477 797">When staff learns that an offender is subject to a substantial risk of imminent sexual abuse, staff shall take immediate action to protect the offender. This may include placing the offender in Protective Custody, Administrative Restrictive Status housing, Isolation, or any other appropriate action.</p> <p data-bbox="242 835 1485 996">The care and treatment member of SART is responsible for documenting the reasons. If the alleged perpetrator is an offender and if the alleged perpetrator has been placed in Protective Custody in accordance with the Directive, Protective Custody, again, a case note documenting the reason for placement is completed and documented. If the offender remains in Protective Custody for 72 hours, the SART evaluates the offender again within 72 hours and if continued placement is required, the reasons are documented. The care and treatment staff are responsible for the documentation.</p> <p data-bbox="242 1025 1485 1288">If the alleged perpetrator is a staff member, the staff member and alleged victim are separated during the investigation period. The staff member may be reassigned to other duties or other work area; transferred to another institution, suspended with pay pending investigation or temporarily banning the individual from the institution, whichever option the appointing authority deems appropriate. Staff are instructed, if applicable, they are to consult with the SART, the Department's PREA Director within 72 hours of the reported incident to determine how long the alleged victim or perpetrator should remain segregated from the general population and document the final decision in the offender's file with specific reasons for returning the Inmates to the general population or keeping the Inmates segregated and ensure the SART has evaluated the victim within 24 hours of the report.</p> <p data-bbox="242 1317 1493 1413">Once a determination has been made that there is sufficient evidence of sexual assault, staff ensures closure of the matter by serving notice of adverse action or banning the staff member, making housing and classification changes if the perpetrator is an offender, and updates the victim's offender file with incident information.</p> <p data-bbox="242 1442 1493 1503">The Indiana State Prison Pre-Audit Questionnaire report 12 months prior to the on-site audit reports; as well an interview with the Warden indicated the facility has had no inmates at risk of imminent sexual assault/abuse housed in Protective Custody.</p> <p data-bbox="242 1532 1493 1662">Interviewed staff indicated that if an inmate told them they were in fear of another inmate or staff or at risk of imminent sexual abuse, they would take that report seriously and remove the inmate immediately from the threat or potential threat. They also, indicated, when asked, where they thought the inmate would be housed to keep them safe, that the inmate could be placed in another dorm possibly but most likely placed in a holding cell and transferred for his safety.</p> <p data-bbox="242 1691 1477 1751">In the past 12 months, the number of times the agency or facility determined that an inmate was subject to a substantial risk of imminent sexual abuse: 0</p> <p data-bbox="242 1780 1493 1910">Discussion of Interviews: The Warden stated there has been no inmate at risk of imminent sexual abuse in the past 12 months. All interviewed staff stated they would take the inmate's allegation seriously and would act immediately by removing the inmate from the source of the threat and keep that inmate with them and take the inmate to the Shift Supervisor to ensure the inmate's safety until a decision could be made about where best to house the inmate.</p>

115.63	Reporting to other confinement facilities
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1442 331">Policy and Documents Reviewed: IDOC Policy, 02-01-115, Sexual Abuse Prevention, C. Reporting to other confinement facilities; Reviewed Incident Reports, Notifications to another facility (two), Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="242 360 732 389">Interviews: Warden; PREA Compliance Manager</p> <p data-bbox="242 418 1493 745">Discussion of Policy and Reviewed Documents: IDOC Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, C. Reporting to other confinement facilities, requires that in cases where there is an allegation that sexually abusive behavior occurred at another facility, the Warden/designee of the victim's current facility is required to provide notification to the Warden of the identified institution and the Department's PREA Director. In cases alleging sexual abuse by staff at another institution, the Warden of the inmate's current facility refers the matter directly to the Office of Investigations and Intelligence. For the non-Department secure facilities, the Warden/Superintendent will notify the appropriate office of the facility where the abuse allegedly occurred. For non-Department facilities, the Warden/designee(s) contacts the appropriate office of that correctional Department. This notification must be provided as soon as possible but not later than 72 hours after receiving the allegation. Notification is documented. The facility head or Department office receiving the notification is required to ensure that the allegation is investigated in accordance with the PREA Standards.</p> <p data-bbox="242 775 802 804">C. Reporting to other confinement facilities (115.63/363)</p> <ol data-bbox="242 833 1457 1167" style="list-style-type: none"> 1. Upon receiving an allegation that an offender was sexually abused while confined at another facility, the Warden that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. 2. Such notification shall be provided as soon as possible, but no later than seventy-two (72) hours after receiving the allegation. 3. The Department shall document that it has provided such notification. 4. The Warden that receives such notification shall ensure that the allegation is investigated in accordance with the PREA standards and this policy and administrative procedure. <p data-bbox="242 1196 1481 1357">The administrative staff knew and described the steps they would take in reporting to the sending facility and ensuring that if an investigation had not been initiated, starting an investigation. They also indicated if they received an allegation from another facility that an offender had been sexually abused while at this facility, they would cooperate with an investigation and conduct interviews or provide any additional information they might have. They indicated they would make the report immediately but were aware that the policy required notification within 72 hours.</p> <p data-bbox="242 1386 1458 1447">In the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility: 2</p> <p data-bbox="242 1476 1310 1505">In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities: 0</p> <p data-bbox="242 1534 1426 1630">The facility's Indiana State Prison Pre-Audit Questionnaire (PAQ) documented, and staff confirmed there has been two allegation during the past 12 months in which an inmate at this facility alleged sexual abuse at another facility. Documentation was provided by the facility PREA Compliance Manager.</p> <p data-bbox="242 1659 1489 1789">Discussion of Interviews: The Warden confirmed during an interview he is aware of the IDOC Policy and PREA Standards relating to reporting allegations in which an inmate alleged sexual abuse at another facility. Indiana State Prison documented in the PAQ and the Warden confirmed there has been no allegation during the past 12 months in which an inmate at this facility alleged sexual abuse at another facility.</p> <p data-bbox="242 1818 1466 1946">The PREA Compliance Manager and Warden confirmed they are aware of the policy requiring reporting to other facilities upon receiving an allegation of sexual abuse that occurred in another facility. They also indicated if they received an allegation from another facility that an inmate, while assigned to this facility, was sexually abused at this facility, they would initiate an investigation and cooperate with any investigation and treat it as any other investigation.</p>

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1469 331">Policy and Documents Review: Indiana DOC Policy, 02-01-115; Sexual Abuse Prevention; D. Staff First Responder Duties; Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 360 1310 387">Interviews: Random Staff, Uniform and Non-uniform First Responders, Inmates who reported sexual abuse</p> <p data-bbox="240 421 1493 813">Discussion of Policy and Documents: Indiana DOC Policy, 02-01-115, describes, in detail, actions to take upon learning that an inmate has been the victim of sexual abuse. Actions described included the expectations for non-security first responders. Policy and local operating procedures require that upon learning of an allegation that an inmate was sexually abused, the first security staff to respond to the report is to respond in the following manner: 1) Separate the alleged victim and abuser 2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence, in compliance with Policy; 3) If the abuse occurred within 72 hours 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; 4) If the abuse occurred within 72 hours ensure that the alleged abuser does not take any actions that could destroy physical evidence, including washing, brushing teeth, changing clothes, urinating, defecating, smoking or eating; 5) If the first responder is not a security staff, the responder is required to request that the alleged victim not take any actions that could destroy physical evidence, and notify security staff immediately. The Sexual Assault Response Team will be notified and will implement the local protocol.</p> <p data-bbox="240 846 555 873">D. Staff First Responder Duties</p> <p data-bbox="240 907 1430 967">1. Upon learning of an allegation that an offender was sexually abused, the first security staff member to respond to the report shall be required to:</p> <ul style="list-style-type: none"> <li data-bbox="240 996 667 1023">a. Separate the alleged victim and abuser. <li data-bbox="240 1052 1251 1079">b. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence. <li data-bbox="240 1108 1481 1205">c. If the abuse occurred within a one hundred twenty (120) hour time frame , request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and. <li data-bbox="240 1234 1453 1330">d. If the abuse occurred within a one hundred-twenty (120) hour time frame, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. <p data-bbox="240 1359 1465 1485">2. First Responders are to ensure that the victim is removed from the area and receives prompt medical intervention. They must ensure that the location of assault and any evidence collected, in coordination with Investigations and Intelligence Investigators, is preserved and that the evidence chain of custody is handled properly if the scene cannot remain secured due to facility safety concerns. They will also arrange for the removal of any suspected perpetrator.</p> <p data-bbox="240 1514 1477 1574">3. If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.</p> <p data-bbox="240 1603 1485 1729">The local protocol, PREA Local Operating Directive and the Indiana State Prison Sexual Assault Response Plan, describe in detail the responses to an allegation of sexual abuse. Staff are trained in first responding during annual in-service training, with refreshers in shift briefings and from the PREA Compliance Manager in meetings and briefings. This information was provided by staff during their interviews.</p> <p data-bbox="240 1758 1469 1883">Non-uniformed staff have been trained in first responding. They receive the same annual in-service training during Day 1, which includes PREA. They could describe the steps they would take in response to being informed an inmate had been sexually assaulted. They sated step by step the same procedures as correctional staff. The nurse stated that, in addition to conducting an assessment on the alleged victim the facility would attempt to protect any used evidence.</p> <p data-bbox="240 1912 1481 2009">Indiana Department of Correction requires that all staff and contractors having contact with inmates attend, minimally, Day 1 of Annual In-Service Training. That training includes a refresher on first responding. The facility provided multiple training rosters documenting staff and contractors completing Day 1 Annual In-Service Training in 2021.</p> <p data-bbox="240 2038 1457 2098">Interviewed staff, including non-uniformed staff, explained the steps required as a first responder. They were consistent in their responses and the responses were consistent with the IDOC Policy (02-01-115) and the Facility Directive.</p> <p data-bbox="240 2128 1437 2154">Correctional Staff consistently reported they would immediately separate the alleged victim from the alleged perpetrator,</p>

notify their supervisor, secure the crime scene, tell the victim and aggressor not to eat, shower, change clothes, use the restroom or brush their teeth. Some staff indicated that if possible, they would put the alleged perpetrator in a cell and cut off the water.

Medical and mental health staff explained what their roles would be as non-security first responders. They would do the same if they were the first person to become aware of an allegation or incident of sexual abuse. They explained their role would be to separate the inmate from the alleged aggressor and report the allegation and to assess the inmate but attempt to protect evidence that may be on the person or his clothing. They would conduct a visual assessment of the inmate but would take all precautions possible to protect the evidence.

In the past 12 months, the number of allegations that an inmate was sexually abused: 6

Of these allegations of sexual abuse in the past 12 months, the number of times the first security staff member to respond to the report separated the alleged victim and abuser: 0

In the past 12 months, the number of allegations where staff were notified within a time period that still allowed for the collection of physical evidence: 0

Of these allegations in the past 12 months where staff were notified within a time period that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report preserved and protected any crime scene until appropriate steps could be taken to collect any evidence: 0

Of these allegations in the past 12 months where staff were notified within a time period that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report requested 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: 0

Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder: 0

Of those allegations responded to first by a non-security staff member, the number of times that staff member notified security staff: 4

Of those allegations responded to first by a non-security staff member, the number of times that staff member requested that the alleged victim not take any actions that could destroy physical evidence: 0

Of those allegations responded to first by a non-security staff member, the number of times that staff member notified security staff: 4

Discussion of Interviews: Interviews with random staff, uniform and non-uniform staff, including medical staff and mental health confirmed they are knowledgeable of their roles as first responders. Medical and mental health staff explained what their roles would be as non-security first responders. They would do the same if they were the first person to become aware of an allegation or incident of sexual abuse. They explained their role would be to separate the inmate from the alleged aggressor and report the allegation and to assess the inmate but attempt to protect evidence that may be on the person or his clothing. They would conduct a visual assessment of the inmate but would take all precautions possible to protect the evidence.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1474 365">Policy and Documents Reviewed: IDOC Policy 02-01-115, Sexual Abuse Prevention, E. Coordinated Response, IDOC Sexual Abuse Response Team, ISP 14-06: "Sexual Assault Prevention - Coordinated Response", Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="242 396 588 423">Interviews: Warden, Random Staff</p> <p data-bbox="242 454 1455 580">Discussion of Policies and Documents: IDOC Policy 02-01-115, Sexual Abuse Prevention, E. Coordinated Response, requires each facility to develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and counselor, investigators and facility leadership. The plan must be kept current and include names and phone numbers of coordinating parties.</p> <p data-bbox="242 611 504 638">E. Coordinated Response</p> <p data-bbox="242 669 1481 763">The Warden at each facility shall establish a Sexual Assault Response Team (SART) and develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility executive staff. The plan shall be written in a Facility Directive.</p> <p data-bbox="242 795 1485 920">A SART provides a coordinated, efficient, and supportive response to victims of sexual assault. The members of the SART shall provide a full range of comprehensive services to sexual assault victims who have made the decision to report a sexual assault. Persons assigned to the facility's SART First Responders shall receive specialized training in providing comprehensive services to victims of sexual assault.</p> <p data-bbox="242 952 1458 1046">The Warden shall ensure that there is an alternate for every first responder of the SART who is also qualified to fulfill the team member's role when they are unavailable. SART First Responders are to be scheduled so that First Responders are available at all times.</p> <p data-bbox="242 1077 1490 1202">Arrangements shall be made to ensure that SART First Responders who must interact with the sexual assault victim are able to communicate directly, through interpretive technology, or through offender interpreters during exigent circumstances, with offenders who have limited English proficiency, are deaf, or speech impaired. Accommodations shall be made to convey all written information verbally to offenders with limited reading skills or who are sight-impaired.</p> <p data-bbox="242 1234 735 1261">The goals and objectives of the facility SART are:</p> <ul data-bbox="242 1292 1414 1485" style="list-style-type: none"> • Meet the needs of the victim with crisis intervention and support services. • Arrange a comprehensive forensic examination for sexual abuse victims, without financial cost, where evidentiary or medically appropriate. • Provide a joint, effective, and sensitive approach to victims of sexual assault. • Document and preserve forensic evidence for potential prosecution. • Conduct investigations of the crime from notification through prosecution. <p data-bbox="242 1516 1082 1543">The members of the SART and their respective duties include, but are not limited to:</p> <p data-bbox="242 1574 644 1601">1. Staff Designated as First Responders</p> <p data-bbox="242 1632 1493 1892">First Responders are to ensure that the victim is removed from the area and receives prompt medical intervention. They must ensure that the location of assault and any evidence collected, in coordination with Investigations and Intelligence Investigators, is preserved and that the evidence chain of custody is handled properly if the scene cannot remain secured due to facility safety concerns. They must inform the victim not to take any actions that could destroy physical evidence before an investigator or other member of the SART arrives. If the report is made within the one hundred twenty (120) hour time frame, staff shall ensure that the alleged victim and alleged abuser do not take any action(s) that could destroy physical evidence, including, as appropriate; washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. They will also arrange for the removal of any suspected perpetrator.</p> <p data-bbox="242 1924 1481 2018">All SART First Responders shall be provided with specialized training for the initial response to reports of sexual abuse and protection of sexual abuse victims. Once staff have completed the initial SART First Responder training, they are required to complete the refresher course every two years to remain a SART First Responder.</p> <p data-bbox="242 2049 705 2076">2. Investigations and Intelligence Investigators</p> <p data-bbox="242 2107 1430 2166">Investigations and Intelligence Investigators are to investigate and report the facts of the case. The Investigators shall consider the immediate safety of the victim. They shall arrange and conduct victim, suspect and witness interviews and</p>

perform all other duties normally associated with their respective duties. They shall also notify the State Police liaison of the assault to request assistance, if needed, and consult with local prosecutors if there is a potential criminal violation. The Investigators may not be on grounds when the initial report is made and shall be utilized on an on-call basis. All investigators shall receive training in conducting sexual abuse investigations in a confinement setting prior to completing investigations of sexual abuse/assaults. This training shall be documented in the employee's training records.

3. Medical Staff

Medical first responders shall provide care and treatment as outlined in the Sexual Assault Manual. Medical Staff shall respond to provide immediate medical care and evaluate the victim for life threatening injuries. Should a victim refuse or decline medical treatment the victim shall sign State Form 9262, "Refusal and Release of Responsibility for Medical, Surgical, Psychiatric and Other Treatment," which shall be documented in the offender medical file. Medical staff can aid in the preservation of evidence by instructing both the alleged victim and alleged abuser not to take any actions that could destroy physical evidence and assisting with the arrangement of a forensic exam by a SANE at a local hospital at no cost to the offender/student whether they name an abuser or cooperate with the investigation. The Sexual Assault Nurse Examiner (SANE) is to provide the forensic exam component of the SART. Non-Facility SANE personnel will take a medical history, perform the physical assessment of the victim, collect, document and initiate the preservation of physical evidence found on the victim and his/her personal effects. They will provide information on Health Services matters; document the examination and, if called upon, present expert testimony in court. Identification of SANE professionals in the local community shall be arranged by the PREA Compliance Manager and the medical contractor. Only qualified SANE professionals shall be utilized to conduct the forensic sexual assault examination.

4. PREA Compliance Manager

The PREA Compliance Manager shall be informed of the sexual abuse report by the Shift Supervisor. The PREA Compliance Manager shall assist the Shift Supervisor in coordinating the response and notifying the Superintendent. The PREA Compliance Manager shall ensure all PREA requirements are followed in response to a report of sexual abuse. The PREA Compliance Manager shall ensure the victim is offered access to a victim advocate or SART First Responder to accompany him/her to the forensic exam or during investigative interviews. The PREA Compliance Manager shall also manage the facility SART, ensuring training is completed as needed and an appropriate number of first responders are assigned to each shift. SART members shall be included in the monthly PREA Committee meetings whenever possible.

ISP 14-06: "Sexual Assault Prevention - Coordinated Response"

PURPOSE: The purpose of this facility directive is to establish guidelines for the implementation of the agency sexual assault prevention policy and for staff and offenders regarding the procedures that will be taken in cases of alleged sexual conduct by staff or offenders. This will address the use of the coordinated, multi-disciplinary team to respond to incidents of sexual abuse to ensure victims receive the medical and support services needed and that investigators obtain evidence to substantiate allegations and hold perpetrators accountable.

II. STATEMENT: The Indiana State Prison is committed to taking necessary actions in response to an incident of sexual abuse. The Indiana State Prison policy is 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 conduct. The Indiana State Prison is committed to zero (0) tolerance for sexual conduct between staff, volunteers, contractual staff, visitors, official visitors and offenders whether committed by staff, volunteers, contractual staff, visitors, official visitors, or other offenders. Sexual conduct between staff, volunteers, contractual staff, visitors, official visitors and offenders, regardless whether consensual or not, is strictly prohibited. The Sexual Assault Response Team (SART) is a multi-disciplinary team of staff first responders, medical and mental health practitioners, investigators and facility leadership. The Indiana State Prison has established the following procedures to follow when a report of sexual abuse has been made by an offender. This team will work in conjunction with outside agencies in a victim-centered approach regarding allegations and investigations of sexual abuse/assault.

E Unit – Offenders identified under PREA shall be housed in the following manner:

a. E Unit PREA Aggressor Likely – House on the east side of the dorm PREA Victim Likely – House on the west side of the dorm beds 1-44 PREA Both – House on the west side of the dorm beds 67-110.

6. F Unit – Offenders identified under PREA shall be housed in the following manner:

a. F Unit while PLUS Program is in effect PREA Victim Likely – House on both sides in beds 1-18 PREA Both Likely – House on both sides in beds 28-45 PREA Aggressor – House on both sides in beds 55-90.

b. F Unit while PLUS Program is not in effect PREA Aggressor Likely – House on the east side of the dorm PREA Victim Likely – House on the west side of the dorm beds 1-36 PREA Both – House on the west side of the dorm beds 55-90.

VI. MEMBERS OF THE SEXUAL ASSAULT RESPONSE TEAM (SART) AND THEIR RESPONSIBILITIES

The actions to be taken in cases of alleged sexual conduct by staff or offenders, as part of the coordinated, multi-disciplinary response team to respond to incidents to sexual abuse to ensure victims receive the medical and support services needed and that investigators obtain evidence to substantiate allegations and hold perpetrators accountable is outlined in the following section. These guidelines for the Sexual Assault Response Team at ISP cover the areas of reporting of sexual abuse, activation of the SART, victim support, the roles and responsibilities of the SART members. The members include: First Responders, Advocates, Investigators, PREA Compliance Manager, Shift Supervisor, and Medical and Mental Health practitioners. The members of the SART and their respective duties include, but are not limited to:

A. Staff Designated as First Responders

First Responders are to ensure that the victim is removed from the area and receives prompt medical intervention. They must ensure that the location of assault and any evidence collected, in coordination with Investigations and Intelligence Investigators is preserved and that the evidence chain of custody is handled properly if the scene cannot remain secured due to facility safety concerns. They must inform the victim not to take any actions that could destroy physical evidence before an investigator or other member of the SART arrives. If the report is made within the one hundred twenty (120) hour time frame, staff shall ensure that the alleged victim and alleged abuser do not take any action(s) that could destroy physical evidence, including, as appropriate; washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. They will also arrange for the removal of any suspected perpetrator. Each custody shift is to have two (2) on-duty staff persons identified and trained as first responders. If the first responder is a non-custody staff, the responder shall request the alleged victim and alleged perpetrator not take any actions that could destroy physical evidence and notify custody staff as soon as possible.

B. Investigations and Intelligence Investigators and Intelligence Investigators are to investigate and report the facts of the case. The Investigators shall consider the immediate safety of the victim. They shall arrange and conduct victim, suspect and witness interviews and perform all other duties normally associated with their respective duties. They shall also notify the State Police liaison of the assault to request assistance, if needed, and consult with local prosecutors if there is a potential criminal violation. The Investigators may not be on grounds when the initial report is made and shall be utilized on an on-call basis. All investigators shall receive training in conducting sexual abuse investigations in a confinement setting and attend SART training prior to completing investigations of sexual abuse/assaults. This training shall be documented in the employee's training records.

C. Victim Advocates:

The victim advocate provides emotional support to the victim, short-term crisis intervention, advocacy and appropriate referrals for the sexual assault victim throughout the criminal justice process. This person may be an employee of the Department of Correction, or qualified community-based organization staff member. The advocate shall support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information and referrals. The advocates will not participate in the investigation of the assault, nor any investigative interviews or processes. All victim advocates shall attend SART training prior to serving as victim advocates. This training shall be documented in the employee's training records.

D. Medical Staff:

Medical first responders shall provide care and treatment as outlined in the Sexual Assault Manual. Medical Staff shall respond to provide immediate care and evaluate the victim for life threatening injuries. Should a victim refuse or decline medical treatment the victim shall sign State Form 9262, "REFUSAL AND RELEASE OF RESPONSIBILITY FOR MEDICAL, SURGICAL, PSYCHIATRIC AND OTHER TREATMENT," (Attachment 1) which shall be documented in the offender medical file. Medical staff can aid in the preservation of evidence by instructing the offender not to take any actions that could destroy physical evidence and assisting with the arrangement of a forensic exam by a SANE at a local hospital at no cost to the offender whether they name an abuser or cooperate with the investigation.

The Sexual Assault Nurse Examiner (SANE) is to provide the forensic exam component of the SART. Non-Facility SANE personnel will take a medical history, perform the physical assessment of the victim, collect, document and initiate the preservation of physical evidence found on the victim and his/her personal effects. They will provide information on health care matters; document the examination and, if called upon, present expert testimony in court. Identification of SANE professionals in the local community shall be arranged by the PREA Compliance Manager and the medical contractor. Only qualified SANE professionals shall be utilized to conduct the forensic sexual assault examination.

E. PREA Compliance Manager:

The PREA Compliance Manager shall be informed of the sexual abuse report by the Shift Supervisor. The PREA Compliance Manager shall assist the Shift Supervisor in coordinating the response and notifying the Superintendent. The PREA Compliance Manager shall ensure all PREA requirements are followed in response to a report of sexual abuse. The PREA Compliance Manager shall ensure the victim is offered access to a victim advocate or SART member to accompany

him/her to the forensic exam. The PREA Compliance Manager will also manage the facility SART, ensuring training is completed as needed and an appropriate number of first responders are assigned to each shift. SART members should be included in the monthly PREA Committee meetings whenever possible.

F. Shift Supervisor:

The Shift Supervisor will make notifications to Investigations and Intelligence, the Duty Officer (during off business hours), Superintendent, PREA Compliance Manager, Major, Medical/Mental Health, DCS, FSSA, and activate the SART if the alleged assault occurred within the past 120 hours. See Section VII, Paragraph G "Medical and Forensic Medical examinations" for additional information. The Shift Supervisor should coordinate with medical staff the arrangement of a forensic exam by a SANE at a local hospital prior to sending the victim for the examination.

G. SART Membership

Members of the Sexual Assault Response Team are listed in an attachment to this directive (Attachment 2). This listing shall be updated as membership on the team changes. SART training shall be conducted as needed to ensure that those staff persons who require the training receive it and to ensure that the appropriate staffing levels are maintained for each shift.

VII. COORDINATED RESPONSE PROCEDURES:

A. Report of Actual or Threatened Sexual Abuse Any staff person, volunteer, or contractor that has reason to believe that actual or threatened sexual abuse has occurred, whether or not it occurred in a Department facility, has a duty to immediately report this information to the Shift Supervisor on duty, PREA Compliance Manager, facility executive staff or the Executive Director of PREA. An investigation shall be conducted on all reports of actual or threatened non-consensual sexual acts. Upon receipt of a report of actual or threatened sexual abuse, staff shall ensure that the Shift Supervisor is notified immediately. Additionally, when staff learns that an offender is subject to a substantial risk of imminent sexual abuse, staff shall take immediate action to protect the offender. This may include placing the offender in Protective Custody, Administrative Restrictive Status housing, or any other appropriate action. Apart from reporting to designated supervisors, staff shall not reveal any information related to a sexual abuse report to anyone other than to the PREA Compliance Manager or staff involved with investigating the alleged incident.

B. Notifications of Actual or Threatened Sexual Abuse

The Shift Supervisor will make notifications to Investigations and Intelligence, the Duty Officer (during off business hours), Superintendent, PREA Compliance Manager, Major, Medical/Mental Health and activate the SART. See Paragraph G "Medical and Forensic Medical Examinations" for additional information. Staff shall ensure that appropriate actions are taken to preserve as much evidence as possible (e.g., if the sexual conduct involves intercourse, the alleged victim shall be instructed not to shower or otherwise clean him/herself, drink, use the toilet, brush his/her teeth, remove clothing, etc.). If the alleged perpetrator is known, staff shall require him/her to follow the same actions as with the alleged victim in order to preserve any possible evidence of any sexual abuse. Mental Health staff or staff trained in victim support shall be contacted to meet with the alleged victim. If the alleged sexual conduct involves an offender or student under eighteen (18) or an 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). A flowchart and an incident checklist regarding SART activation are attached to this directive (Attachments 3-4).

C. Responding to Allegations of Sexual Abuse/Assault:

Only staff persons who have completed the SART training shall be assigned to respond to allegations of sexual abuse/assault. A listing of SART members and a copy of the SART manual shall be maintained in the Shift Supervisor's Office as a resource for SART personnel responding to allegations of sexual abuse/assault.

D. First Responders and Investigators:

The first responders, who are members of SART, will be able to collect evidence, if needed and obtain preliminary information from the victim if staff persons from the Investigations and Intelligence department are not on grounds. Evidence protocols must be followed in the retrieval of any evidence on the victim(s), suspect(s) and scene(s) involved in the allegation to ensure the proper collection, handling, documentation and the storage of evidence. Additionally, each offender victim shall be provided an Offender Informational Brochure, outlining the services available to them (Attachment 5). The Sexual Assault Response Team (SART) activation is made by the Shift Supervisor. Once activated, SART members are to ensure that the following occurs when responding to an allegation of sexual assault:

Seven Steps in Victim Response

1. Ensure that the victim and suspect are physically separated.
2. Ensure that area is preserved for Investigators, physically blocked off.
3. Ensure that steps are taken to preserve evidence if site cannot be preserved.

4. Ensure that appropriate photographs are taken if area cannot be preserved.
5. Ensure that ONLY the initial reporting information is obtained.
 - Date of alleged assault
 - Victim and Suspect names and DOC numbers
 - Location of alleged assault
 - Any other information provided regarding the assault
6. Ensure that appropriate reports are completed and forwarded to the Investigations Department – Include observations of scene and demeanor of victim and suspect, include physical injuries observed
7. Ensure CONFIDENTIALITY of information obtained during the response.

E. Investigators

Only persons assigned as Office of Investigations and Intelligence Investigators are to conduct investigations into allegations of sexual abuse/assault at the facility. All investigators shall receive training in conducting sexual abuse investigations in a confinement setting and attend SART training prior to completing investigations of sexual abuse/assaults. This training shall be documented in the employee's training records.

F. Victim Advocates

The facility shall make every attempt to make available to the victim a victim advocate from a rape crisis center. If a rape crisis center is not available to provide victim advocate services, the agency makes available to provide these services from a community-based organization, or a qualified agency staff member. As requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information and referrals. The local rape crisis center has the option to provide support services and may choose not to support the facility with these advocacy services. A listing of available SART-trained facility advocates shall be maintained in the Shift Supervisor's office.

G. Medical and Forensic Medical Examinations

The victim has the option to have a medical examination or forensic medical examination conducted or to refuse any examination. The Indiana State Prison has a 24/7 medical department. This department does not conduct forensic medical examinations. Arrangements for transporting the offender victim shall be made by the Shift Supervisor to a contracted medical facility that provides Sexual Assault Nurse Examiner (SANE) services. At no time shall any victim advocate be permitted to accompany an offender victim during transport to any location outside the facility.

Medical staff can aid in the preservation of evidence by instructing the offender not to take any actions that could destroy physical evidence and assist the Shift Supervisor with the arrangement of a forensic exam by a SANE at a local hospital. The Shift Supervisor should coordinate with medical staff that this arrangement was made prior to sending the victim for the examination. Should a victim refuse or decline medical treatment the victim shall sign State Form 9262, "REFUSAL AND RELEASE OF RESPONSIBILITY FOR MEDICAL, SURGICAL, PSYCHIATRIC AND OTHER TREATMENT." (Attachment 1)

All forensic examination evidence will be collected and placed into evidence by investigators assigned to the Investigations and Intelligence Office. Those investigators retrieving the evidence will have the SART training prior to working on any sexual assault/abuse investigations. "A National Protocol for Sexual Assault Medical Forensic Examinations Adults/Adolescents", reads, "it is important to remember that evidence collection beyond the cutoff point is conceivable and may be warranted in particular cases." Advances in forensic evidence collection create a high likelihood of viable biological evidence being found 120 hours (5 days) to one week (7 days) after the incident occurred. "In any case where the utility of evidence collection is in question, encourage dialogue between law enforcement representatives (if involved), examiners and forensic scientists regarding potential benefits or limitations."

If the alleged assault occurred more than 120 hours prior to the time the report was received, further discussion regarding the viability of evidence collection should be made to determine if SART will be activated and a medical forensic examination is completed. A medical examination for treatment/documentation of injuries may still be conducted with the victim's consent. Staff persons responding to an incident as SART members will ensure that Steps 1-7 outlined above are followed. Staff may still be able to retrieve physical evidence such as clothing/bedding after the time frame for collection of biological evidence has passed. As in all allegations of sexual abuse/assault, the reporting requirements remain in place and an investigation must be conducted.

H. Follow-Up Medical and Mental Health Services:

In all allegations of sexual assault/abuse, the offender victim shall receive any follow-up medical and mental health services as outlined by the Sexual Assault Manual. These follow-up services will be provided at no cost to the offender victim. A copy of the outside hospital's After-Visit Summary, following the forensic examination, will be forwarded to the facility PREA

Compliance Manager.

Discussion of Interviews: In an interview the Warden related, the facility has a Facility Directive ISP 14-06: "Sexual Assault Prevention - Coordinated Response" to ensure that during an emergency, the Facility Directive ISP 14-06: "Sexual Assault Prevention - Coordinated Response" serves as the Emergency Plan, like other emergency plans required for secure facilities and the IDOC Sexual Assault Response Checklist serves as a Facility Directive ISP 14-06: "Sexual Assault Prevention - Coordinated Response" as well.

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policy and Documents Reviewed: IDOC Policy 02-01-115, Sexual Abuse Prevention, F. Preservation of Ability to Protect Offenders from Contact with Abusers", Indiana State Prison Pre-Audit Questionnaire</p> <p>Interviews: Warden, Agency Designee</p> <p>Discussion of Policy and Documents Reviewed: The State of Indiana Department of Correction employees are not members of a union. The Department is not involved in any form of collective bargaining.</p> <p>F. Preservation of Ability to Protect Offenders from Contact with Abusers</p> <p>The State of Indiana does not have collective bargaining units for its State employees or the Department. It is the Warden's discretion to determine if staff must be re- assigned to another post and prohibited from contact with an alleged victim. Staff may also be placed on an emergency suspension when supported by evidence of a serious violation of policy or State law.</p> <p>An interview with the Agency Designee, the Indiana Department of Correction confirmed that his Department is not involved in any form of collective bargaining and he can remove any staff from contact during an investigation and can remove them from employment for violating an agency sexual abuse or sexual harassment policy.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1422 331">Policy and Documents Reviewed: IDOC Policy 02-01-115, Sexual Abuse Prevention, G. Protection Against Retaliation PREA Retaliation Form (IDOC Form), Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 360 437 389">Interviews: Warden</p> <p data-bbox="240 418 1477 680">Discussion of Policy and Documents Review: IDOC Policy 02-01-115, Sexual Abuse Prevention, affirms the agency has a zero tolerance for any form of retaliation and is committed to protecting inmates or staff who report sexual abuse and sexual misconduct or sexual harassment from retaliation. Policy requires that anyone who retaliates against a staff member or an offender who has reported an allegation of sexual abuse or sexual harassment in good faith is subject to disciplinary action. Policy requires a staff be identified to monitor for retaliation. Additionally, policy provides multiple protection measures including housing changes for inmates, transfers, removal of alleged staff or inmate abusers from contact with victims and emotional support for inmates or staff who fears retaliation. Monitoring is required to be conducted for at least 90 days following a report of abuse.</p> <p data-bbox="240 710 571 739">G. Protection Against Retaliation</p> <ol data-bbox="240 768 1485 1518" style="list-style-type: none"> <li data-bbox="240 768 1485 864">1. The Department shall establish a policy to protect all offenders and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other offenders or staff. The Warden shall designate which staff members or departments are charged with monitoring retaliation. <li data-bbox="240 893 1485 990">2. The facility shall employ multiple protection measures, such as housing changes or transfers for offender victims or abusers, removal of alleged staff or offender abusers from contact with victims, and emotional support services for offenders or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. <li data-bbox="240 1019 1485 1211">3. For at least ninety (90) days following a report of sexual abuse, the staff designated to monitor for retaliation shall monitor the conduct and treatment of offenders or staff who reported the sexual abuse and of offenders who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by offenders or staff, and shall act promptly to remedy any such retaliation. Items the PREA Committee should monitor include any offender disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The PREA Committee shall continue such monitoring beyond ninety (90) days if the initial monitoring indicates a continuing need. <li data-bbox="240 1240 1485 1337">4. In the case of offenders, such monitoring shall also include periodic status checks. Meetings shall occur with offenders once every 30 days. Staff monitoring shall consist of one meeting to inform the staff to report retaliation during the 90 days to the designated monitoring staff. <li data-bbox="240 1366 1485 1462">5. If any other individual who cooperates with an investigation expresses a fear of retaliation, the Department shall take appropriate measures to protect that individual against retaliation. This may require the initiation of an investigation of the retaliation. <li data-bbox="240 1491 1358 1518">6. A facility's obligation to monitor shall terminate if the investigation determines that the allegation is unfounded. <p data-bbox="240 1547 1485 1778">All staff assigned to facility Department of Investigations and Intelligence serves as the Retaliation Monitors. Prevention measures include separating the alleged victim and abuser by placing them in separate dorms when possible or in protective custody and the alleged perpetrator in segregation. If a staff is involved that staff may be placed on some form of "no contact" until the investigation is over. Reviewed investigation packages contained documented retaliation monitoring using the IDOC PREA Retaliation Monitoring Form. That form documented monitoring such things as DRs, movements to other dorms, and changes in details. Similarly, for staff, monitoring would include changes in shifts, posts, details, and performance reports and write ups.</p> <p data-bbox="240 1807 1485 2000">Monitoring will include monitoring the conduct and treatment of inmates and staff to see any changes to indicate possible retaliation and to remedy any retaliation. Monitoring includes the following: review of inmate disciplinary reports, housing or program changes, negative performance reviews or reassignments of staff etc. Monitoring may continue beyond 90 days if the initial monitoring indicates the need for it. Periodic status checks of inmates will be conducted. The obligation for monitoring terminates if the allegation is unfounded. Policy requires that monitoring is documented on the IDOC PREA Retaliation Monitoring Form.</p> <p data-bbox="240 2029 1485 2157">Upon learning of an allegation whether, staff on inmate or inmate on inmate, the alleged victim and alleged aggressor are separated. For the inmate, that may mean placing either the alleged victim or alleged aggressor or both, temporarily in Protective Custody. If a staff is involved the staff will be separated from the alleged victim by placing the staff either on a post away from the inmate or placing the staff on administrative paid leave while an investigation is going on and placing a staff on</p>

administrative leave with pay is the most likely scenario according to the Warden.

Retaliation Monitors role is to prevent retaliation by looking at things like housing assignments, reviews programming assignments, and detail changes. Retaliation monitoring is documented on the IDOC PREA Retaliation Monitoring Form. Staff review post assignments, changes in shifts, performance reports and write-ups.

The Indiana Department of Correction has a zero tolerance toward retaliation against any inmate/detainee or staff who reports an allegation of sexual abuse or sexual harassment. This is expressed and documented in IDOC Policy 02-01-115, Sexual Abuse Prevention Policy.

Indiana State Prison and IDOC have a zero-tolerance policy for retaliation toward staff or inmates who report an allegation in good faith. He also asserts that employees and inmates will be subject to disciplinary sanctions if found to participate in retaliation toward any staff or inmate.

The number of times an incident of retaliation occurred in the past 12 months: 0

Discussion of Interviews: The Warden described possible prevention measures including changing dorms, changing detail assignments, changing programs, etc. and for staff, placing them on "no-contact", reviewing shift assignment changes, and performance reviews and that they would use the IDOC Form guiding the items to check that might indicated retaliation. All staff assigned to facility Department of Investigations and Intelligence serves as the Retaliation Monitors.

The Warden indicated that any alleged victim will be removed and separated from the alleged perpetrator and placed in a safe environment. If an officer was involved in an allegation, the officer would be placed on "no contact" depending on the nature of the allegation or would be placed on a post away from contact with the Inmate. The PAQ indicates the facility has had zero (0) incidents of retaliation to occur in the past 12 months.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1469 331">Policy and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention, H. Post-Allegation Protective Custody, Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 360 1123 387">Interviews: Warden; Staff Supervising Segregation; Inmates housed in Segregation (NA)</p> <p data-bbox="240 421 1490 745">Discussion of Policy and Documents: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention, Policy, H. Post-Allegation Protective Custody, prohibits placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives have been made and a determination made that there is no available alternative means of separation from likely abusers. If an assessment cannot be conducted immediately, the inmate may be held in involuntary segregation for less than 24 hours while completing the assessment. This placement, including concern for the inmate's safety, must be documented in the inmate/offender database, documenting concern for the inmate's safety and the reason why no alternative means of separation can be arranged. Inmates who are placed in involuntary segregation are housed there only until an alternative means of separation from likely abusers can be arranged and the assignment, ordinarily, shall not exceed 30 days. Reviews are required to be conducted every 30 days to determine whether there is a continuing need for separation from the general population.</p> <p data-bbox="240 779 622 806">H. Post-Allegation Protective Custody</p> <p data-bbox="240 813 1469 873">Any use of restrictive status housing to protect an offender who is alleged to have suffered sexual abuse shall be subject to the requirements of 115.43 for Adult facilities and 115.342 for Juvenile Facilities.</p> <p data-bbox="240 902 1477 1064">The reviewed Indiana State Prison Pre-Audit Questionnaire documented that there were zero inmates who alleged to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for 24 hours awaiting completion of assessment, none for longer than 30 days while awaiting alternative placement. If an involuntary segregated housing assignment is made, the facility provides a review at least every 30 days to determine whether there is a continuing need for separation from the general population.</p> <p data-bbox="240 1093 1473 1420">The Indiana IDOC Policy, 02-01-115, H. Post-Allegation Protective Custody Any use of restrictive status housing to protect an offender who is alleged to have suffered sexual abuse shall be subject to the requirements of 115.43 for Adult facilities and 115.342 for Juvenile Facilities, requires that Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers. If an assessment cannot be conducted immediately, the offender may be held in involuntary segregation no more than 24 hours while completing the assessment. This placement, including the concern for the inmate's safety is noted in case notes documenting the concern for the offender's safety and the reason why no alternative means of separation can be arranged. The inmate will be assigned to involuntary segregated housing only until an alternative means of separation can be arranged. Assignment does not ordinarily exceed a period of 30 days.</p> <p data-bbox="240 1449 1469 1579">Inmates at high risk for sexual victimization are housed in the general population. Generally, inmates at high risk for victimization will be placed in one of the dorms identified as providing a safer environment with no aggressors assigned to the dorm. They are not placed in segregated housing and would not be placed there unless there were no other options for safely housing the inmate.</p> <p data-bbox="240 1608 1420 1668">If there was no place to safely house a potential or actual victim, the victim will be temporarily housed in the Protective Custody area but would be expeditiously transferred to another facility where he could feel safe.</p> <p data-bbox="240 1697 1490 1861">If an inmate is assigned to involuntary segregated housing it is only until an alternative means of separation from likely abusers can be arranged and such an assignment does not ordinarily exceed a period of 30 days. If the facility uses involuntary segregation to keep an inmate safe, the facility documents the basis for their concerns for the inmate's safety and the reason why no alternative means of separation can be arranged. Reviews are conducted every 30 days to determine whether there is a continuing need for separation from the general population.</p> <p data-bbox="240 1890 1485 2020">Inmates in involuntary protective custody, in compliance with policy, will have access to programs and services like those of the general population, including access to medical care, mental health, recreation/exercise, education, and the phone. The staff member supervising segregation stated, in an interview, that any inmate placed on involuntary protective custody will have access to programs, including education. They would also have their tablets enabling them to communicate with family.</p> <p data-bbox="240 2049 1417 2110">Individual Records are required and will document, among other required things, all activity such as bathing, exercise, medical visits, program participation and religious visits. It should also include documentation of unusual occurrences.</p>

The number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment: 0

The number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement: 0

From a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged: 0

Discussion of Interviews: The Warden, PREA Compliance Manager, and staff supervising segregation, indicated that placing someone in involuntary protective custody would be a last resort and may be used only in the absence of any other safe place to house the inmate. They may be placed in there temporarily to determine what happened. Potential Victims of sexual abuse are not housed in a dorm designated solely for potential or actual victims. If the inmate could not be safely housed in the facility, he would be transferred to another prison.

The PREA Compliance Manager and Staff Supervising Segregation indicated, in their interviews, that there have not been any inmates involuntarily placed in segregation or protective custody during the past 12 months. An interview with staff supervising segregation indicated if an inmate were placed in involuntary segregation, they would be placed there with the reasons documented. He also stated the inmate would have access to programs, possibly attend class if in GED and other programs, and have access to visitation, recreation, to phones, medical and mental health services.

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policy and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, X. Investigations; IDOC Policy and Administrative Procedure 00-01-103, Investigation and Intelligence; Reviewed Investigation Packages; IDOC Incident Report; Reviewed NIC Certificates; Indiana State Prison Pre-Audit Questionnaire</p> <p>Interviews: Warden; Facility-Based Investigator;</p> <p>Discussion of Policy and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, X. Investigations, A. Criminal and Administrative Indiana Department of Correction Investigations, IDOC Policy and Administrative Procedure 00-01-103, Investigation and Intelligence.</p> <p>A. Criminal and Administrative Indiana Department of Correction Investigations</p> <ol style="list-style-type: none"> 1. The Department shall conduct its own investigations into allegations of sexual abuse and sexual harassment. Investigations shall be prompt, thorough, and objective for all allegations, including third-party and anonymous reports. (Also see Policy and Administrative Procedure 00-01- 103, "Investigations and Intelligence," Section IX) 2. Where sexual abuse is alleged, the Department shall use investigators who have received special training in sexual abuse investigations pursuant to 115.34/343. 3. Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. Staff shall ensure that any crime scene or evidence collected is maintained in accordance with Policy an Administrative Procedure 00-01-103, "The Operation of the Office of the Investigations and Intelligence." The Warden is responsible for ensuring that First Responders and Investigators under their control follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for Department disciplinary and criminal proceedings. 4. When the quality of evidence appears to support criminal prosecution, the Department Investigators shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. 5. 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 or staff. The Department shall not require an offender who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. 6. Administrative investigations: <ol style="list-style-type: none"> a. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and. b. Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. 7. Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. 8. Substantiated allegations of conduct that appears to be a violation of Indiana criminal code shall be referred for prosecution. 9. The Department shall retain all written reports referenced in paragraphs 6 and 7 of this section for as long as the alleged abuser is incarcerated or employed by the Department, plus five (5) years, unless the abuse was committed by a juvenile offender and applicable law requires a shorter period of retention. 10. The departure of the alleged abuser or victim from the employment or control of the facility or Department shall not provide a basis for terminating an investigation. <p>The Department follows a uniform protocol for obtaining usable physical evidence for administrative proceedings and criminal prosecution. Investigations are required to be prompt and thorough, including those reported by third parties or anonymously. Administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse.</p> <p>Reports are documented and include descriptions of physical and testimonial evidence, reasoning behind the credibility of</p>

assessments and investigative facts and findings. Criminal investigations are documented in written reports that contain thorough descriptions of physical, testimonial, and documentary evidence and copies of all documentary evidence when feasible. Substantiated allegations of conduct that appears to be criminal are referred for prosecution. The departure of the alleged abuser or victim from the employment or control of the Department does not provide a basis for termination of the investigation.

The facility has a Sexual Assault Response Team. The team consists of a lead member who initiates the investigation, medical staff, and a counselor. All Sexual Assault Response Team Members have completed the National Institute of Corrections Specialized Training, "PREA: Investigating Sexual Abuse in a Confinement Setting".

At the conclusion of each sexual abuse investigation, the PREA Team meets and discusses the allegations and findings of the investigator and essentially reviews the incident in compliance with the IDOC Policy related to Incident Reviews.

The IDOC Investigations and Intelligence Unit has implemented a system in which staff enters the investigation into the IDOC data system enabling the Investigations and Intelligence Unit to review investigations for quality assurance purposes. If the Investigations and Intelligence Unit believes the investigation needs additional information, the facility investigator is notified. The PREA Director indicated that either she or the Assistant PREA Director or the PREA Analyst must approve an investigation prior to closure.

Indiana Department of Correction Policy (02-01-115) requires that all reports of sexual abuse or sexual harassment will be considered allegations and will be investigated. Policy requires investigations are conducted promptly, thoroughly and objectively. It also requires, and staff confirmed, that allegations or reports, including any knowledge, information or suspicions are taken seriously and are investigated. These include reports made verbally, in writing, from third parties and from anonymous sources.

The investigations policies and procedures require that as soon as an incident of sexual contact, sexual abuse, or sexual harassment, comes to the attention of staff, the staff receiving the information is required to immediately inform the Warden and/or the Institutional Duty Officer, and/or Internal Investigations, now known as the Office of Investigations and Intelligence Investigators, verbally and followed up with a written report to the Warden. Incidents, according to the procedures, via, include rumors, "inmate talk", and all kissing, sexual abuse and sexual harassment. This policy, along with IDOC Policy 02-01-115, requires that failure to report may result in disciplinary action, up to and including dismissal.

The Office of Investigations and Intelligence Investigators has a responsibility, power, and authority to investigate allegations of sexual abuse and the power to arrest. The Warden of the facility where the incident allegedly happened shall contact the Investigations and Intelligence to have an investigator agent assigned to investigate the criminal allegation.

At the facility level, investigations are initiated by the local Sexual Assault Response Team. These include a primary facility-based investigator and a member from medical and counseling. The facility-based investigator has completed the on-line training entitled: "PREA: Conducting Sexual Abuse Investigations in a Confinement Setting."

The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since August 20, 2012, or since the last PREA audit, whichever is later: 0

Discussion of Interviews: An interview the Warden confirmed all allegations are taken seriously and are referred to the agency with the responsibility for conducting criminal investigations, when applicable; the facility's Sexual Assault Response Team conducts an initial investigation into all allegations and when an allegation appears criminal, the Duty Officer and Warden are notified, and they contact the Office of Investigations and Intelligence who assigns an Investigator to investigate. Any allegation of penetration must be referred on to the Investigations and Intelligence. An interview with the facility-based investigator indicated he has completed the on-line specialized training, "PREA: Conducting Sexual Abuse Investigations in Confinement Settings". He also explained and described the steps he would take in initiating and conducting an investigation. He also affirmed and provided certificates of training documenting that all of the Sexual Abuse Response Team Investigators completed the online Specialized Training provided by the National Institute of Corrections.

Interviews with the Facility Based Investigator, Investigators, and Office of Investigations and Intelligence Investigators confirmed the credibility of the victim, alleged perpetrator and witnesses based on the evidence and not on the offender's status or identity or any other factors including how many times the offender have alleged sexual abuse or sexual harassment. The investigation, they related would continue even if the victim recanted, if a staff involved terminated his employment prior to a completed investigation, or if an inmate victim or abuser departed the facility prior to the completed investigation.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Policy and Documents Reviewed: The Indiana Department of Correction Policy 02-01-115, Sexual Abuse Prevention, B. Evidentiary Standard for Administrative Investigations</p> <p>Interviews: Facility-Based Investigator</p> <p>Discussion of Policy and Documents Reviewed: The Indiana Department of Correction Policy 02-01-115, Sexual Abuse Prevention, B. Evidentiary Standard for Administrative Investigations, requires that there shall be no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>Discussion of Interview: The Facility-Based Investigator affirmed in an interview, that the standard of evidence to substantiate an allegation of sexual abuse is “the preponderance of the evidence”.</p>

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1473 331">Policy and Documents Reviewed: IDOC Policy 02-01-115, Sexual Abuse Prevention, C. Reporting to Offenders, Reviewed IDOC Notification Form, Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 360 1481 456">The agency's standard operating procedure, 02-01-115; Reporting to Offenders, requires that inmates who are in custody of the Indiana Department of Correction are entitled to know the outcome of the investigation. The inmate must be notified whether the allegation was determined to be substantiated, unsubstantiated, or unfounded.</p> <p data-bbox="240 486 501 512">C. Reporting to Offenders</p> <ol data-bbox="240 542 1489 1469" style="list-style-type: none"> <li data-bbox="240 542 1461 638">1. Following an investigation into an offender's allegation that he or she suffered sexual abuse in a Department facility, the facility PREA Compliance Manager shall inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. <li data-bbox="240 667 1414 728">2. If the facility or agency did not conduct the investigation, the PREA Compliance Manager shall request the relevant information from the facility or agency that did in order to inform the offender. <li data-bbox="240 757 1473 1048" style="margin-left: 20px;">3. Following an offender's allegation that a staff member has committed sexual abuse against the offender, the Department shall subsequently inform the offender (unless the Department has determined that the allegation is unfounded) whenever: <ol data-bbox="240 846 1473 1048" style="list-style-type: none"> <li data-bbox="240 846 898 873">a. The staff member is no longer posted within the offender's unit. <li data-bbox="240 902 810 929">b. The staff member is no longer employed at the facility. <li data-bbox="240 958 1473 985">c. The Department learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or <li data-bbox="240 1014 1461 1041">d. The Department learns that the staff member has been convicted on a charge related to sexual abuse within the facility. <li data-bbox="240 1077 1437 1137">4. Following an offender's allegation that he or she has been sexually abused by another offender, the Department shall subsequently inform the alleged victim whenever: <ol data-bbox="240 1167 1473 1285" style="list-style-type: none"> <li data-bbox="240 1167 1461 1227">a. The Department learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or <li data-bbox="240 1256 1473 1283">b. The Department learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. <li data-bbox="240 1314 1489 1375">5. All such notifications or attempted notifications shall be documented on the PREA Investigation Outcome Notification form. A copy of the form shall be provided to the offender and placed in the offender record. <li data-bbox="240 1404 1406 1464">6. A facility's obligation to report under this standard shall terminate if the offender is released from the Department's custody. <p data-bbox="240 1498 1473 1693">Discussion of Policy and Documents Review: Following an investigation into an allegation of sexual abuse, within 30 days, the facility is required, by policy, (02-01-115), to notify the inmate of the results of the investigation as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. IDOC Policy 02-01-115, Sexual Abuse Prevention, C. Report to Offenders, requires that following the close of an investigation into an offender's allegation that he/she suffered sexual abuse in a Department facility, the facility is required to inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.</p> <p data-bbox="240 1724 1493 1852">Policy requires the notification be completed by a member of the local SART unless the appointing authority delegates to another designee under certain circumstances. Notifications are required to be documented. If an inmate is released from the Department's custody the Department's obligation to "notify" the inmate of the outcome of the investigation is terminated. Notifications are required to comply with the PREA Standards and IDOC Policies.</p> <p data-bbox="240 1883 1099 1910">Outside entities do not conduct investigations for the Indian Department of Correction.</p> <p data-bbox="240 1939 1481 2134">A member of the SART is required to notify the inmate when a staff member is no longer posted within the inmate's unit; the staff member is no longer employed at the facility; the agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility or the agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility. The agency would also notify the inmate when the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.</p>

The notification form would document, for the inmate, if the investigation is determined to be substantiated, unsubstantiated, unfounded or referred to Investigations and Intelligence. If the allegation is determined to be substantiated, unsubstantiated, or unfounded, the inmate is notified of any of the following if applicable:

Staff member is no longer posted within the inmate's unit Staff member is no longer employed at the facility.

Staff member has been indicted on a charge related to sexual abuse with the facility Staff member has been convicted on a charge related to sexual abuse within the facility.

The alleged abuser (offender) has been indicted on a charge related to sexual abuse within the facility.

The alleged abuser (offender) has been convicted on a charge related to sexual abuse within the facility

Other: Include explanation of why "other:" was checked.

The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility in the past 12 months: 7

Of the alleged sexual abuse investigations that were completed in the past 12 months, the number of inmates who were notified, verbally or in writing, of the results of the investigation: 7

The number of investigations of alleged inmate sexual abuse in the facility that were completed by an outside agency in the past 12 months: 0

Of the outside agency investigations of alleged sexual abuse that were completed in the past 12 months, the number of inmates alleging sexual abuse in the facility who were notified verbally or in writing of the results of the investigation: 0

In the past 12 months, the number of notifications to inmates that were provided pursuant to this standard: 0 Of those notifications made in the past 12 months, the number that were documented: 0

Discussion of Interviews: Interviews with the Facility-Based Investigator, and Warden related that a member of SART would be responsible for notifying the inmates of the outcome of the investigation. The SART/Warden will use the required IDOC Notification Form, and the interviewed investigator confirmed this is the document used to notify the inmate. Notification forms were attached to all reviewed investigations. The facility provides written notifications to offenders for sexual abuse and sexual harassment that involve offenders or staff.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Policy and Documents Reviewed: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention, XI. Discipline , A. Disciplinary sanctions for staff, (PREA) Education Acknowledgment Statement for Employees and Unsupervised Contractors and Unsupervised Volunteers, Indiana State Prison Pre-Audit Questionnaire

Discussion of Policy and Document Review: Indiana Department of Correction Policy, 02-01-115, Sexual Abuse Prevention, A. Discipline, 1. Disciplinary Sanction for Staff, requires that staff who engages in sexual misconduct with an offender are banned from correctional institutions or subject to disciplinary action, up to and including, termination, whichever is appropriate. Staff may also be referred for criminal prosecution when appropriate.

A. Disciplinary sanctions for staff

1. Staff shall be subject to disciplinary sanctions up to and including termination for violating Department sexual abuse or sexual harassment policies. (Also see Policy 04-03-103, "Information and Standards of Conduct for Department Staff")
2. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse (Staff Sexual Misconduct).
3. Disciplinary sanctions for violations of Department policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.
4. All terminations for violations of Department sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. These referrals shall be documented.

The presumptive disciplinary sanction for sexual touching and violation of sexual abuse policies is termination. Violations of Department policy related to sexual abuse or sexual harassment (other than engaging in sexual abuse) will be commensurate with the nature and circumstances of the acts committed the staff member's disciplinary history and the sanctions imposed for comparable offenses by other staff with similar histories. If an allegation is substantiated by the Investigator conducting the sexual abuse investigation, the agency will consult with the local District Attorney and a warrant for the staff's arrest will be taken if warranted and approved by the District Attorney.

Terminations for violations of the Department sexual abuse or sexual harassment policies or resignations by staff that would have been terminated if not for their resignation are reported to law enforcement agencies (Investigator) unless the activity was clearly not criminal.

Substantiated cases of non-consensual sexual contact between Inmates or sexual contact between a staff member and an offender will be referred for criminal prosecution. This was confirmed through interviews with the Warden, PREA Compliance Manager, and SART Leader.

If an offense is less than sexual abuse the appropriate sanction would be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. This was confirmed through interviews with the Warden and PREA Compliance Manager. Staff interviews confirmed the likely sanction for violating a sexual abuse or sexual harassment policy would be termination. Failure to report is cause for disciplinary action up to and including termination.

In the past 12 months, the number of staff from the facility who have violated agency sexual abuse or sexual harassment policies: 0

In the past 12 months, the number of those staff from the facility who have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies: 0

In the past 12 months, the number of staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies (other than actually engaging in sexual abuse): 0

In the past 12 months, the number of staff from the facility that have been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies: 0

Staff who has been found to have engaged in sexual misconduct/abuse will be banned from correctional institutions or subject to disciplinary sanctions up to and including termination and staff may be referred for criminal prosecution.

115.77	Corrective action for contractors and volunteers
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1490 365">Policy and Documents Reviewed: IDOC Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, B. Corrective Action for Contractors and Volunteers; (PREA) Education Acknowledgment Statement for Unsupervised Contractors and Volunteers; Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="242 396 427 425">Interview: Warden</p> <p data-bbox="242 454 1434 515">The Indiana State Prison Pre-Audit Questionnaire documented that there were no allegations of sexual abuse or sexual harassment against any contractor or volunteer during the past 12 months.</p> <p data-bbox="242 544 1493 672">Discussion of Policies and Reviewed Documents: IDOC Policy, 02-01-115, Sexual Abuse Prevention, B. Corrective Action for Contractors and Volunteers, requires that any contractor or volunteer who engages in sexual abuse will be prohibited from contact with inmates and will be reported to law enforcement agencies, unless the activity was clearly not criminal and to relevant licensing bodies.</p> <p data-bbox="242 701 756 730">B. Corrective Action for Contractors and Volunteers</p> <ol data-bbox="242 759 1485 943" style="list-style-type: none"> 1. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with offenders, removed from the facility and shall be reported to law enforcement agencies, unless the activity was clearly not criminal. A substantiated finding for sexual abuse shall be reported to relevant licensing bodies where applicable and documented. 2. The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with offenders, in the case of any other violation of Department sexual abuse or sexual harassment policies by a contractor or volunteer. <p data-bbox="242 972 1426 1066">The facility is required to take appropriate remedial measures and to consider whether to prohibit further contact with inmates in the case of any other violation of Department sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p data-bbox="242 1095 1481 1292">Contractors and Volunteers, as a part of their PREA training sign an IDOC Sexual Assault/Sexual Misconduct Sexual Abuse Prevention (PREA) Education Acknowledgment Statement for Employees and Unsupervised Contractors and Unsupervised Volunteers contains a warning that any violation of the policy will result in disciplinary action, including termination, or that they will be banned from entering any correctional institution. Furthermore, it asserts that staff understands that in accordance with Indiana Law, certain correctional staff members who engage in sexual contact with an offender commit sexual assault, a felony punishable by imprisonment.</p> <p data-bbox="242 1321 1490 1518">IDOC has a zero tolerance for any form of sexual abuse or sexual harassment. Contractors and Volunteers are advised of that policy and explained the consequences for violations. Any contractor or volunteer who violates any agency sexual abuse or sexual harassment will be immediately barred from the facility and placed on a ban for entering any IDOC facility. Pending investigation, the contractor or volunteer will not be allowed entry into this facility or any other IDOC facility. The local law enforcement will be notified, and a recommendation will be made to refer the contractor or volunteer for prosecution. If the contractor or volunteer is a licensed person, the licensing agency will also be notified.</p> <p data-bbox="242 1547 1477 1608">In the past 12 months, the number of contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates: 0</p> <p data-bbox="242 1637 1469 1800">Discussion of Interview: Interviews with the Warden; there have been no allegations made against any volunteer or contractor. If there have been the Warden indicated the volunteer or contractor would be prohibited from coming into the facility while the investigation is being conducted. If the investigation determined the allegation was substantiated, local law enforcement would be notified and a recommendation would be made to refer the volunteer for prosecution. Interviews contractors confirmed understanding zero tolerance and potential sanctions for violating IDOC Policies.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1385 331">Policy and Documents Reviewed: IDOC Policy, 02-01-115, Sexual Abuse Prevention, C. Disciplinary Sanctions for Offenders, Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 360 767 387">Interviews: Warden, Medical and Mental Health staff</p> <p data-bbox="240 421 1477 645">Discussion of Policy and Documents Reviewed: IDOC Policy prohibits all consensual sexual activity between Inmates and Inmates may be subject to disciplinary action for such activity. Consensual sexual activity between Inmates does not constitute sexual abuse, but it is considered a disciplinary issue. Paragraph b. requires that Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse or a criminal finding of guilt for offender-on-offender sexual abuse. The sanctions that may be imposed are prescribed in Policy and Administrative Procedures, 02-04-101, The Disciplinary Code for Adult Offenders.</p> <p data-bbox="240 678 1091 705">Policy, 02-01-115, Sexual Abuse Prevention, C. Disciplinary Sanctions for Offenders:</p> <p data-bbox="240 734 633 761">C. Disciplinary Sanctions for Offenders</p> <ol data-bbox="240 790 1477 1832" style="list-style-type: none"> 1. Offenders shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse or following a criminal finding of guilt for offender-on-offender sexual abuse. (Also see Policy and Administrative Procedures 02-04-101, "The Disciplinary Code for Adult Offenders," and 03-02-101, "Juvenile Code of Conduct") 2. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the offender's disciplinary history, and the sanctions imposed for comparable offenses by other offenders with similar histories. In the event a disciplinary sanction results in the isolation of a juvenile offender, the facility shall not deny the offender daily large-muscle exercise or access to any legally required educational programming or special education services. Juvenile offenders in isolation shall receive daily visits from a medical or mental health care clinician. Juvenile offenders shall also have access to other programs and work opportunities to the extent possible. 3. The disciplinary process shall consider whether an offender's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. 4. If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending offender to participate in such interventions as a condition of access to programming or other benefits. A juvenile facility may require participation in such interventions as a condition of access to any rewards-based behavior management system or other behavior-based incentives, but not as a condition to access to general programming or education. 5. The Department may discipline an offender for sexual contact with staff only upon a finding that the staff member did not consent to such contact. 6. For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. 7. The Department shall prohibit all sexual activity between offenders and shall discipline offenders for such activity in accordance with the appropriate disciplinary code or code of conduct. The Department shall not deem such activity to constitute sexual abuse if it determines that the activity is consensual and not coerced. Staff shall make every effort to determine if coercion was involved. Offenders shall be advised in PREA education that cases of sexual abuse shall be referred for criminal prosecution and to Child Protective Services as appropriate. <p data-bbox="240 1865 1490 2056">Policy requires that the disciplinary process consider whether an offender's mental disabilities or mental illness contributed to behavior when determining what type of sanction, if any, will be imposed. And if the facility offers therapy, counseling or other interventions to address and correct underlying reasons or motivations for the abuse, the facility is required to consider whether to offer the offending offender to participate in such interactions as a condition of access to programming or other benefits. Policy affirms that an offender may be disciplined for sexual contact with a staff member only upon a finding that the staff member did not consent to such contact.</p> <p data-bbox="240 2089 1477 2150">Reports made in good faith upon a reasonable belief that the alleged conduct occurred shall not constitute false reporting or lying, even if the investigation does not establish sufficient evidence to substantiate the allegation. However, following an</p>

administrative finding of malicious intent on behalf of the offender making the report, then the offender will be subject to disciplinary sanctions pursuant to a formal disciplinary process in accordance with Policy and Administrative Procedures, 02-04-101, The Disciplinary Code for Adult Offenders.

The facility due process officer uses an Offender Disciplinary Code Sheet documenting that offenses designated as either "great" or "high" severity offenses, that include sexual assault or soliciting sexual activity, may be sanctioned by 1) Isolation one to fourteen days; 2) Referral to Classification Committee for review; 3) Disciplinary transfer; 4) Removal from specified programs; 5) Affect issuance of a warrant for violation of law; 6) Prisons restriction on privileges for up to 90 days; 7) Impound personal property for days; 8) Change in work or quarters assignment; 9) Extra duty for two hours/day up to 90 days and 13 other sanctions. If the allegation of sexual assault is substantiated, the Investigator may consult with the district attorney and refer the inmate for prosecution. The Code Sheet addresses violations of statutes and asserts that inmates under the jurisdiction of the State Board of Corrections are subject to all laws of the United States and of the State of Indiana and any inmate violating these laws may be charged and tried for that violation in the same manner as any other citizen in the appropriate state or federal court. The filing of charges in a judicial court of record for a violation of state or federal laws does not in any way prevent or preclude the administrative handling of the same act as a prisons disciplinary manner or of the taking of disciplinary action against the inmate.

In the past 12 months, the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility: 0

In the past 12 months, the number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility: 0

Discussion of Interviews: During interviews with the Warden, medical and mental health staff the indicated the policy requires that the disciplinary process considers whether an offender's mental disabilities or mental illness contributed to behavior when determining what type of sanction, if any, will be imposed. And if the facility offers therapy, counseling or other interventions to address and correct underlying reasons or motivations for the abuse, the facility is required to consider whether to offer the offending inmate to participate in such interactions as a condition of access to programming or other benefits. Policy affirms that an offender may be disciplined for sexual contact with a staff member only upon finding that the staff member did not consent to such contact.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policy and Documents Reviewed: IDOC Policy 02-01-115, Sexual Abuse Prevention, XII. Medical and Mental Health Care, 4.03A Adult Mental Health Services; Indiana State Prison Pre-Audit Questionnaire</p> <p>Interviews: Counselor (Staff responsible for risk screening), Mental Health; Inmates who reported prior victimization</p> <p>Discussion of Reviewed Policy and Documents: IDOC Medical Policies are specific and voluminous regarding health care and mental health. Health Care services are provided through a contract. The IDOC Policy, 02-01-115, Sexual Abuse Prevention, 4.03A Adult Mental Health Services requires that the IDOC provide prompt and appropriate medical and mental health services in compliance with and in accordance with the IDOC Policies and Procedures.</p> <p>A. Medical and Mental Health Screenings / History of Sexual Abuse</p> <ol style="list-style-type: none"> 1. If the screening pursuant to 115.41/341 indicates that an offender has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the offender is offered a follow-up meeting with a medical or mental health practitioner within fourteen (14) days of the intake screening. 2. If the screening pursuant to 115.41/341 indicates that a prison offender or offender has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the offender/offender is offered a follow-up meeting with a mental health practitioner within fourteen (14) days of the intake screening. 3. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. 4. Medical and mental health practitioners shall obtain informed consent from offenders before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the offender is under the age of 18. <p>If an inmate discloses prior victimization during the initial intake Sexual Violence Assessment Tool, the offender will be offered a follow-up with either medical or a mental health practitioner. This follow-up is offered and will be completed within 14 days of the intake screening. The inmate may choose to refuse the offer and if so, the refusal will be documented.</p> <p>If the screening process indicates an inmate has previously perpetrated sexual abuse whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening. The interviewed staff stated if an inmate disclosed a previous history of sexual abuse during the initial PREA Assessment, the inmate will be offered a follow-up with mental health.</p> <p>Care is taken to protect reported information. Information reported by inmates related to prior victimization or abusiveness that occurred in an institutional setting is limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education and program assignments or as otherwise required by Federal, State or local law. Inmates sign consent for evaluation and consent for treatment.</p> <p>Documentation of inmates alleging any form of sexual abuse being seen by medical, referrals are made for follow-up with mental health and interviews with medical and counseling staff confirmed this facility complies with offering and providing follow-up with a medical or mental health professional Mental health staff. Additionally, it is evident that referrals are made to mental health; it appeared that the medical and mental health departments communicate frequently to meet the needs of inmates who alleged previous sexual abuse or sexual abuse while in the facility.</p> <p>Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.</p> <p>IDOC Policy, 02-01-115, asserts that if an inmate's intake assessment indicated the inmate has experienced any prior victimization or has perpetrated any sexual abuse, whether in an institutional setting or in the community, the inmate will be offered a follow-up meeting within 14 days of the intake screening. This will be documented on the inmate's intake screening instrument. Any information related to sexual victimization or abusiveness that occurred in an institutional setting is required to be strictly limited to necessary staff maintaining strict confidentiality.</p>

During the initial PREA Sexual Violence Assessment Tool if the inmate endorses the question about having been a previous victim of sexual abuse, the counselor offers the inmate a referral to mental health. The inmate may choose to refuse. If the inmate wants to have a follow-up with mental health, the counselor makes the referral.

In the past 12 months, the percent of inmates who disclosed prior victimization during screening who were offered a follow-up meeting with a medical or mental health practitioner: 100%

Discussion of Interviews: Interviews with medical and counseling staff who conducts the Sexual Violence Assessment Tools of incoming inmates confirmed that each screening asks inmates about prior victimization and prior abuse. They all are aware that this disclosure must result in a referral to a medical or mental health practitioner within 14 days. Inmates can refuse the referral. Interviewed inmates who reported having been victims of previous sexual abuse indicated they were offered mental health services and follow-up, all refused a follow-up with mental health. Mental health services are provided onsite for inmates housed at Indiana State Prison.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policy and Documents Reviewed: IDOC Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, B. Access to Emergency Medical and Mental Health Services; Sexual Assault Manual; National Protocol for Sexual Assault Medical Forensic Examinations, 2nd Editions, PREA Medical Logs; Coordinated Response"; SANE Procedures</p> <p>Interviews: Mental Health Staff,</p> <p>Discussion of Reviewed Policies and Documents: Inmate victims of sexual abuse receive timely and 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. This was confirmed through interviews with medical and counseling staff. The facility's medical care program is also accredited through the National Commission on Correctional Healthcare Standards.</p> <p>IDOC Policy, 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, requires the facility to provide prompt and appropriate medical and mental health services in compliance with this standard. It requires the SART to arrange for immediate medical examination of the alleged victim, followed by a mental health evaluation within 24 hours. One of the SART Members is the counselor. Medical Staff are required to contact the appropriate Sexual Assault Nurse Examiner, who will respond as soon as possible, but within 72 hours of the time the alleged assault occurred to collect forensic evidence.</p> <p>B. Access to Emergency Medical and Mental Health Services</p> <ol style="list-style-type: none"> 1. Offender victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. (Also see the Sexual Assault Manual) 2. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to 115.62/362 and shall immediately notify the appropriate medical and mental health practitioners. 3. Offender victims of sexual abuse while incarcerated shall be 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. 4. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. <p>Medical staff is charged with conducting an initial assessment of the inmate to determine if there is evidence of physical trauma requiring immediate medical intervention in accordance with good clinical judgment. Medical staff immediately initiates all necessary urgent/emergent treatment for bleeding, wounds and other traumas. They then complete the Nursing Protocol Assessment form for alleged sexual assault. Facility clinicians document physical examinations in the progress notes.</p> <p>When medically indicated medical staff are required to arrange transfer of the inmate (if no SANE's is available on site) to the designated emergency facility for continued treatment and collection of forensic evidence. If an alleged assault occurred within 72 hours of the reported incident and the inmate does not require transport to the emergency room, the designated facility SANE Nurse shall be immediately notified and an appointment scheduled for the collection of forensic evidence. The facility provided the auditor with a list of SANEs who can be called to come to the facility to conduct the Sexual Assault Forensic Exam. This will occur only if there has been penetration, including oral penetration, reported by the patient. Otherwise no rape kit will be collected.</p> <p>If the sexual assault occurred more than 72 hours previously, the decision on whether the evaluation is done by a local hospital, by the SANE Nurse, or facility staff will be made on a case by case basis. The decision is made by the Health Authority in consultation with the facility investigator and in accordance with IDOC PREA Policy requires that if the facility does not have a designated SANE Nurse, the inmate is sent to the designated emergency room for collection of forensic evidence.</p> <p>When an inmate has been the victim of sexual abuse, medical staff assess the inmate to ensure there are no life threatening or emergency needs, and if stable, initiate the Nursing Protocol, contact the SANE, if needed, be taken to the local or other Hospital to be stabilized.</p> <p>IDOC Policy and Practice ensures that inmate victims of sexual abuse receive timely, unimpeded access to emergency</p>

medical treatment and crisis intervention services within the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. This was confirmed through reviewed policies and procedures, reviewed monthly PREA reports, Interviews with staff, inmates, PREA Compliance Manager and Lead Nurse.

IDOC Policy requires that when an inmate makes an allegation of sexual abuse, the inmate will be interviewed in private to determine the nature and timing of the assault and extent of physical injuries. First Aid and emergency treatment will be provided in accordance with good clinical judgment. If the assault occurred within the previous 72 hours, the inmate will be counseled regarding need for a medical evaluation to determine the extent of injuries and testing and treatment for sexually transmitted infections.

The SANE and health care staff will be utilized to provide the victim with information about access to emergency prophylactic treatment of sexually transmitted infections. Inmates are not charged for PREA related issues and treatment. If the assault occurred more than 72 hours prior to being reported, the decision as to where the medical evaluation will occur is made on a case by case basis.

Sexual Assault Nurse Examiners are provided through a contract. Previous interviews with both Sexual Assault Nurse Examiners confirmed their role in responding to a sexual assault and conducting the forensic exam. Interviews with two SANEs indicated the inmate would be offered testing for HIV and other Sexually Transmitted Infection and offered STI Prophylaxis.

Security and non-security staff are trained as first responders and their roles are to separate the alleged victims from alleged perpetrators, try to protect any evidence, suggesting the victim not eat, drink, use the restroom or change clothes, and require the alleged perpetrator not do those things as well that could destroy evidence. Interviewed staff articulated their roles as first responders and non-uniform staff responded with all the elements of first responding just as the uniformed staff did.

Counseling staff indicated that victims of sexual abuse would receive an Initial Sexual Abuse Evaluation and possibly a complete evaluation; and if needed, a referral for specialized upper level provider for counseling. Counseling would include specifics such as guilt; boundaries etc. and could include a comprehensive treatment plan.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Policy and Documents Reviewed: IDOC "Sexual Abuse Manual: IDOC Policy 02-01-115, C. Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers, Indiana State Prison Pre-Audit Questionnaire

Interviews: Mental Health staff , Inmates who reported sexual abuse

Discussion of Policy and Documents Reviewed: The agency's "Sexual Abuse Manual" provides specific actions required when an inmate alleges sexual abuse/assault. It also requires that following a SANE Examination, the facility provider or designee is responsible for ordering prophylactic treatment for STIs. A follow up visit by a clinician is required three working days following the exam.

The facility has a facility specific Facility Directive ISP 14-06: "Sexual Assault Prevention - Coordinated Response" that specifies the actions for first responders, Sexual Assault Response Team, Medical and Counseling. IDOC Policy requires that victims of sexual abuse are provided health care services, including the forensic exam at no cost to the victim. This is confirmed through review of the IDOC PREA Policy as well as interviews with medical staff. IDOC Policy requires that the facility attempt to conduct a mental health evaluation of all known inmate on inmate abusers within 60 days of becoming aware of such history and offer treatment as appropriate.

C. Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers

1. The facility shall offer a medical and mental health evaluation and, as appropriate, treatment to all offenders who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.
2. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.
3. The facility shall provide such victims with medical and mental health services consistent with the community level of care.
4. Offender victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.
5. If pregnancy results from the conduct described in (4) such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.
6. Offender victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.
7. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
8. All facilities shall attempt to conduct a Mental Health evaluation of all known offender-on-offender abusers within sixty (60) days of learning of such abuse history and offer treatment when deemed appropriate by Mental Health practitioners.

Inmate who go to the hospital for a forensic exam, are offered STI prophylaxis. If the inmate had his forensic exam at the prison, the SANE will recommend the STI prophylaxis and the staff will administer it on the doctor's orders.

The facility offers medical, and counseling and mental health evaluations and treatment are offered at Indiana State Prison for all inmates victimized by sexual abuse in a prison, jail, lockup or juvenile facility and as appropriate, the facility offers appropriate follow-up services and mental health evaluation, including referrals for continued care following transfer or placement in other facility or their release from custody.

The facility provides victims with medical and mental health services consistent with the community level of care.

Victims of sexual assault are assessed following an allegation to determine the presence and extent of any injuries. Nursing staff, responding to a sexual assault do a visual exam to assess injuries, the Inmate would be transported to the local hospital for a forensic exam by a SANE nurse. At the conclusion of the exam, the SANE recommends the STI Prophylaxis and testing for STIs. The recommendations still must be approved by a physician. Because the facility offers a variety of health care services, ongoing treatment, testing and follow-up are provided at the facility.

Mental Health assessments are conducted on victims of sexual abuse and they are either offered services or are continued in care on the caseload, if already on the mental health caseload. Some inmates interviewed who had suffered sexual abuse were already on mental health caseload.

Discussion of Interviews: The Lead Nurse confirmed the process for providing ongoing physical and mental healthcare services. Inmate victims of sexual abuse, identified as potential victims as well as any inmate who becomes a victim, is offered a follow-up with mental health services. All cost for services associated with a sexual assault victims are provided at no cost to the inmate.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1458 398">Policy and Documents Review: IDOC Policy 02-01-115, Sexual Abuse Prevention, XIII. Data Collection and Review, A. Sexual Abuse Incident Reviews, Indiana State Prison Pre-Audit Questionnaire; Calls to the Investigations and Intelligence Unit Hotline in the past 12 months; Monthly PREA Reports; Incident Review Team Meeting Minutes, Review of Sexual Abuse Incident Reviews</p> <p data-bbox="240 432 903 459">Interviews: Warden; PREA Compliance Manager; SART Members</p> <p data-bbox="240 490 1469 714">Discussion of Policies and Documents: The auditor reviewed investigation packets to determine if incident reviews were conducted as required. The results are discussed later in this section. IDOC Policy 02-01-115, Sexual Abuse Prevention, XIII. Data Collection and Review, A. Sexual Abuse Incident Reviews, affirms and requires that each facility meet once per month to review and assess the facility's PREA prevention, detection, and response efforts. During that meeting, policy requires an incident review to be conducted for each sexual abuse allegation that has been concluded within the past 30 days. This review is to be conducted on all abuse allegations deemed to be substantiated and unsubstantiated. Reviews of unfounded allegations are not necessary.</p> <p data-bbox="240 745 587 772">A. Sexual Abuse Incident Reviews</p> <ol data-bbox="240 804 1469 1738" style="list-style-type: none"> <li data-bbox="240 804 1469 898">1. The facility PREA Committee shall 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. <li data-bbox="240 929 1198 956">2. Such review shall ordinarily occur within thirty (30) days of the conclusion of the investigation. <li data-bbox="240 987 1414 1046">3. The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or Mental Health practitioners. <li data-bbox="240 1077 1469 1648">4. The review team shall: <ol data-bbox="240 1135 1469 1648" style="list-style-type: none"> <li data-bbox="240 1135 1469 1193">a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse. <li data-bbox="240 1225 1469 1323">b. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility. <li data-bbox="240 1355 1469 1413">c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse. <li data-bbox="240 1444 991 1471">d. Assess the adequacy of staffing levels in that area during different shifts. <li data-bbox="240 1503 1353 1529">e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. <li data-bbox="240 1561 1469 1648">f. Prepare a report of its findings on the Sexual Abuse Incident Review, including but not necessarily limited to determinations made pursuant to paragraphs (4)(a)-(4)(e) of this section, and any recommendations for improvement and submit such report to the Warden and the Executive Director of PREA; and. <li data-bbox="240 1680 1469 1738">g. The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so on the Sexual Abuse Incident Review. <p data-bbox="240 1769 1485 1993">The facility had seven (7) allegations of sexual abuse or sexual harassment during the 12 months prior to the audit. This was confirmed through reviewed monthly PREA Reports received from the facility and review of investigation packets. Interviews with staff indicated staff understands the Incident Review Process and incident reviews are conducted within 30 days of the conclusion of the investigation. Members conducting the incident reviews described the process and indicated they would use the IDOC Sexual Abuse Incident Review Form. The team consists of upper-level management with input from supervisors, investigators, and medical staff. Members include the PREA Compliance Manager, Facility Based Investigator, Counselor, and Sexual Assault Response Team Members.</p> <p data-bbox="240 2024 1485 2157">Using the IDOC Sexual Abuse Incident Review Form, the following are a part of the review process: Consider whether the allegations or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse whether the incident or allegation was motivated by race, ethnicity, gender identity, gay, lesbian, bisexual, transgender or intersex identification status or perceive status, gang affiliation or was motivated or otherwise caused by other group</p>

dynamics at the institution. Examine the area where the incident allegedly occurred to assess any physical barriers in the area that may enable abuse. Assess the adequacy of staffing levels in that area during various shifts.

The review team, in compliance with policy and confirmed in interviews, then will prepare a report of its findings to the Warden and the Executive Director of PREA who are authorized to implement recommendations for improvement or document the reasons for not doing so.

This policy requires that the members of the incident review team consist of the PREA Compliance Manager, SART and representatives from upper level management, line supervisors and other staff members, as designated by the Warden of the facility.

Team members consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse; whether the allegation was motivated by the perpetrator's or victim's race, ethnicity, gender identity, gay, lesbian, bisexual, transgender or intersex identification, status or perceived status, or gang affiliation, or was motivated by other group dynamics at the facility; to examine the area where the incident allegedly occurred to assess whether physical barriers in the area enabled the abuse; to assess the adequacy of staffing levels in the area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff and prepare a report of findings, including, but not limited to, determinations regarding all of the above and any recommendations for improvements, and submit the report to the Warden.

The reviews are required by policy to be conducted at the end of the investigation. Interviews with team members confirmed the reviews are required to be conducted within 30 days of the conclusion of the investigation and that the team would consider, what motivated the incident (identification, status, gang related etc.), where it happened, blind spots, the presence of cameras, staffing and other items included on the Sexual Abuse Incident Review. Documentation indicated the facility conducts incident reviews and considers all the elements required in the standards.

In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only "unfounded" incidents: 2

In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only "unfounded" incidents: 2

The facility conducts Sexual Abuse Incident Reviews on a case with an Unfounded, if something found in the case warrants attention/action. The facility also conducts a review on a harassment case if the same occurs.

Discussion of Interviews: The review team, in compliance with policy and confirmed in interviews, they will prepare a report of its findings and forward to the Warden and Executive Director of PREA who are authorized to implement the recommendations for improvement or document the reasons for not doing so.

115.87	Data collection
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1465 398">Policies and Documents Review: IDOC Policy 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, B. Data Collection, Annual Sexual Assault Prevention Program Reports 2014-2020, Sexual Abuse Incident Review, Private Prison Annual Sexual Assault Prevention Program Report 2020, DOJ Survey Reports Adult and Juvenile Facilities, Indiana State Prison Pre-Audit Questionnaire</p> <p data-bbox="240 434 1018 461">Interviews: Executive Director of PREA, PREA Compliance Manager, Warden</p> <p data-bbox="240 497 1473 748">Discussion of Policies and Documents: The Indiana Department of Correction collects accurate and uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions and aggregates the incident-based sexual abuse data at least annually. The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the US Department of Justice. The department maintains reviews and collects data as needed from all available incident-based documents, including reports, investigation files and sexual abuse incident reviews. Information is also secured from every facility, including private facilities with whom, DOC contracts for the confinement of inmates. Upon request, DOC provides data from the previous calendar year to the US Department of Justice no later than June 30th.</p> <p data-bbox="240 784 424 810">B. Data Collection</p> <ol data-bbox="240 846 1485 1487" style="list-style-type: none"> <li data-bbox="240 846 1485 1066">1. The Department shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. All reports of Non-consensual Sexual Acts, Abusive Sexual Contact, Staff Sexual Misconduct and Sexual Harassment as defined in this policy and administrative procedure shall be reported on a Sexual Incident Report. The facility PREA Compliance Manager shall submit a Sexual Incident Report for each allegation that is a PREA related incident via the Sexual Incident Reporting System. All incident reports, investigation reports, or written statements shall be attached to the Sexual Incident Report. The Sexual Incident Report shall be filed in the confidential section of the offender facility packet. It shall not be released to offenders or the public, unless court-ordered. <li data-bbox="240 1102 1145 1128">2. The Department shall aggregate the incident-based sexual abuse data at least annually. <li data-bbox="240 1164 1469 1218">3. The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Victimization conducted by the Department of Justice. <li data-bbox="240 1254 1481 1308">4. The Department shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. <li data-bbox="240 1344 1481 1397">5. The Department also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its offenders. <li data-bbox="240 1433 1449 1487">6. Upon request, the Department shall provide all such data from the previous calendar year to the Department of Justice upon request by the set due date. <p data-bbox="240 1523 1465 1576">Data, if any, is collected, reviewed annually and maintained from all available incident-based documents, including reports, investigation files and sexual abuse reviews.</p> <p data-bbox="240 1612 1437 1702">Upon request all data from previous calendar year will be provided to the Department of Justice. Current and prior years 2011-2019 Survey of Sexual Violence Reports for Adult and Juvenile facilities are posted on the Indiana Department of Correction website for public review along with Sexual Assault Prevention Program Annual Reports.</p> <p data-bbox="240 1738 1477 1863">The aggregated sexual abuse data will be readily available to the public at least annually through the Indiana Department of Correction. Before making the data available, the Department will remove all personal identifiers. Some information may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the institution, but it will but, the nature of the material redacted will be indicated.</p> <p data-bbox="240 1899 1458 2119">The auditor reviewed the most recent Indiana Department of Correction Annual Report. The Agency issues annual PREA reports and posts them on the IDOC Website. The auditor reviewed the 2020 Indiana Department of Correction Sexual Assault Prevention Program Annual Report. Data is collected from each of the facilities and aggregated. Indiana DOC compiles and investigates PREA allegations in 5 major categories including 1) Inmate Sexual Harassment, 2) Abusive Sexual Contact, 3) Non-consensual Sexual Act, 4) Staff Sexual Harassment, and 5) Staff Sexual Misconduct. The report provided data regarding the total number of allegations from all facilities and then it breaks the allegations down into those that were substantiated, unsubstantiated, unfounded, and ongoing.</p>

The aggregated sexual abuse data will be readily available to the public through the Indiana Department of Correction website. Before making the data available, the Department will remove all personal identifiers. Some information may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the institution, but it will but, the nature of the material redacted will be indicated.

Discussion of Interviews: Interviews with the PREA Compliance Manager and Warden confirmed the facility provides the required data, if any, to the IDOC Investigations and Intelligence Unit by reporting immediately any allegations or incidents of sexual abuse at the facility as well as monthly in the monthly PREA Report sent to the IDOC PREA Director.

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Policies and Documents Review: IDOC Policy 02-01-115, Sexual Abuse Prevention, Policy, 02-01-115, C. Data Review for Corrective Action, Indiana State Prison Pre-Audit Questionnaire

Interviews: Agency Head, PREA Compliance Manager, Agency's Executive Director of Investigations & Intelligence

Discussion of Policy and Document Review: The Indiana Department of Correction requires each facility conduct incident reviews after each sexual abuse allegation investigation if the allegations are founded or unsubstantiated. The purpose of this is to determine what the motivation for the incident was and to assess whether there is a need for corrective actions including additional staff training, staffing changes or requests for additional video monitoring technology or other actions to help prevent similar incidents in the future.

C. Data Review for Corrective Action (115.88/388)

1. The Department shall review data collected and aggregated pursuant to 115.87/387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including:

- a. Identifying problem areas;
- b. Taking corrective action on an ongoing basis; and,
- c. Preparing an annual report of its findings and corrective actions for each facility, as well as the Department as a whole. Each facility shall submit their annual Sexual Abuse Prevention report to the appropriate Regional Director and the Executive Director of PREA by January 31.

2. Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the facility and agency progress in addressing sexual abuse.

3. The agency report shall be approved by the Commissioner and made readily available to the public through the Department website.

4. The Executive Director of PREA may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

The agency and facility reviews data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas and taking corrective action as necessary on an ongoing basis.

The IDOC requires each facility to maintain PREA related data and to report to the IDOC Investigations and Intelligence Unit, monthly the number of allegations of sexual abuse and sexual harassment, including inmate on inmate and staff, contractor, volunteer on inmate. The auditor reviewed the Facility PREA Reports for a 12 months period prior to the on-site audit. The agency collects the data for each facility and aggregates it at least annually and provides comparisons from previous years as well as actions the Department has taken as a result of analysis of the data. The annual reports are comprehensive and informative.

The agency reviews data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: (1) Identifying problem areas; (2) Taking corrective action on an ongoing basis; and (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.

The agency and facility reviews data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas and taking corrective action as necessary on an ongoing basis.

The IDOC requires each facility to maintain PREA related data and to report to the IDOC Investigations and Intelligence Unit, monthly the number of allegations of sexual abuse and sexual harassment, including inmate on inmate and staff, contractor, volunteer on inmate. The agency collects the data for each facility and aggregates it at least annually and provides comparisons from previous years as well as actions the Department has taken as a result of analysis of the data. The annual reports are comprehensive and informative.

Discussion of Interviews: The agency collects data from each facility and reviews the aggregated data collected to assess and improve the effectiveness of its sexual abuse prevention, detection and response policies, practices and training, including identifying problem areas; taking corrective action on an ongoing basis and preparing an annual report of its findings and corrective actions for each facility and the IDOC. The department has a dedicated staff person whose job it is to collect and analyze the data. Indiana State Prison has had no corrective actions for this audit period.

115.89	Data storage, publication, and destruction
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1442 331">Policies and Documents Reviewed: IDOC Policy 02-01-115, Sexual Abuse Prevention, D. Data storage, publication, and destruction</p> <p data-bbox="240 362 1042 389">Interview: Executive Director of Investigations & Intelligence (previous interview)</p> <p data-bbox="240 421 1485 546">Discussion of Policies and Documents: Indiana Department of Correction makes all aggregated sexual abuse data from all facilities under its direct control and private facilities with whom it contracts, readily available to the public through the Indiana IDOC Website. IDOC Policy requires all reports are securely retained and maintained for at least 10 years after the date of the initial collection unless the Federal, State or local laws require otherwise.</p> <p data-bbox="240 577 687 604">D. Data storage, publication, and destruction</p> <ol data-bbox="240 636 1461 900" style="list-style-type: none"> <li data-bbox="240 636 1209 663">1. The Department shall ensure that data collected pursuant to 115.87/387 are securely retained. <li data-bbox="240 694 1461 752">2. The Department shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through the Department website. <li data-bbox="240 784 1433 810">3. Before making aggregated sexual abuse data publicly available, the Department shall remove all personal identifiers. <li data-bbox="240 842 1445 900">4. The Department shall maintain sexual abuse data collected pursuant to 115.87/387 for at least ten (10) years after the date of the initial collection. <p data-bbox="240 931 1477 1057">The aggregated sexual abuse data will be readily available to the public at least annually through the Indiana Department of Correction. Before making the data available, the Department will remove all personal identifiers. Some information may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the institution, but it will but, the nature of the material redacted will be indicated.</p> <p data-bbox="240 1088 1485 1214">IDOC Policy 02-01-115, Sexual Abuse Prevention D. Data storage, publication, and destruction, requires that the retention of PREA related documents and investigations will be securely retained and made in accordance with this policy and policy in VI.1, Sexual abuse data, files and related documentation requires they are retained at least 10 years from the date of the initial report.</p> <p data-bbox="240 1245 1469 1370">Criminal investigation data, files and related documentation is required to be retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years or 10 years from the date of the initial report, whichever is greater. Administrative investigation data files and related documentation is to be retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years; or 10 years from the date of the initial report, whichever is greater.</p> <p data-bbox="240 1402 1477 1527">Discussion of Interview: The Agency Executive Director of PREA related that data collected will be securely retained. All sexual abuse data will be available to the public on the prison's website and in annual reports. All personal identifiers will be removed as it pertains to confidentiality. All data collected will be maintained no less than 10 years from the initial date of collection.</p>

115.401	Frequency and scope of audits
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 927 300">Policy Reviewed: IDOC Policy, 02-01-115, Sexual Abuse Prevention</p> <p data-bbox="242 329 1474 423">The Indiana Department of Correction ensures that 1/3 of their prisons are audited each year for compliance with the PREA Standards each year so that at the end of the 3-year cycle, all prisons have been audited. The Indiana State Prison was previously audited for compliance with the PREA Standards August 26, 2019.</p> <p data-bbox="242 454 1453 548">The medical care at this facility is accredited by the Medical Association of Indiana for meeting the Medical Association of Indiana's Standards which are essentially the standards of the National Commission on Correctional Health Care. Indiana State Prison contracts with Centurion to provide Medical services.</p> <p data-bbox="242 577 1445 636">Each facility operated by the Department will be audited every three years or on a schedule determined by the Executive Director of PREA.</p> <p data-bbox="242 667 1485 862">The Indiana Department of Correction also contracts with private facilities. Policy requires that privately facilities operated on behalf of the Department (housing state Inmates) must meet the same audit requirements. These entities are responsible for scheduling and funding their audits. All audits are required to be certified by the Department of Justice and each facility will bear the burden of demonstrating compliance with the federal standards. A copy of the final report will be submitted to the Department's Executive Director of PREA upon completion of the audit. All facilities, state and privately operated must be audited every three years PREA Standards compliance.</p> <p data-bbox="242 891 1485 1052">The facility posted the Notices of PREA Audit in multiple areas throughout the facility accessible to inmates, staff, contractors, volunteers and visitors six weeks prior to the on-site portion of the audit. Notices were observed in living units and other areas accessible to staff, inmates, contractors, volunteers and visitors. Forty-five (45) days prior to the onsite audit the auditor and PREA Compliance Manager communicated via email to discuss the audit process. Communications with the PREA Compliance Manager were often and productive.</p> <p data-bbox="242 1081 1453 1211">The notice contained the auditor's contact information. Prior to the onsite portion of the audit the auditor received five (5) correspondences from inmates. During the on-site portion of the audit, the auditor interviewed four (4) of the inmates who sent correspondences, however one (1) inmate who have sent the audit a letter refused interview with the auditor. Additionally, during the site review of the facility the auditor informally talked with inmates and staff.</p> <p data-bbox="242 1240 1461 1435">The facility uploaded document in the PAQ containing the IDOC policies applicable to the standards as well as documentation to help the auditor understand the mission of the facility, the layout of the facility, and facility operations, including the staffing required for the population of medium to maximum security adult male inmates. The auditor provided the facility and extensive list of documents that the auditor would be asking for on-site. The facility was always responsive and helpful and complied with all request. During the on-site audit the facility was requested to provide documentation and the documentation was readily available.</p> <p data-bbox="242 1464 1469 1594">The on-site audit of the Indiana State Prison was conducted by one Auditor, certified in both Juvenile and Adult Standards. During the on-site audit, the auditor was provided complete and unfettered access to all areas of the facility and to all the inmates. The auditor was able to move about the facility as needed. Adequate space was provided for auditor to conducted interviews in complete private with staff, inmates and contractors.</p> <p data-bbox="242 1624 1485 1753">The auditor reviewed multiple files, made observations throughout the facility, thoroughly reviewed large samples of documentation, tested processes (including checking Sexual Violence Assessment Tool time periods), and interviewed staff, contractors and inmates. Multiple personnel files were reviewed to assess the hiring process, background checks, and staff training.</p> <p data-bbox="242 1783 1493 1944">The audit reviewed 2022, 2021, and 2020 staffing plans, contracts with private vendor who house state inmates, multiple days of unannounced PREA rounds, staff and contractor training files, contract for interpreter service for LEP, investigations files, staff, contractors, inmates, investigators, medical, and mental health PREA training records to includes PREA Acknowledgement forms for compliance. The auditor reviewed initial risk assessment and the 30 day reassessments, and six (6) months reassessments for all inmates identifying as transgender.</p> <p data-bbox="242 1973 1458 2031">The auditor and the PREA Compliance Manager continued to work together following the on-site phase of the audit, when additional information was needed; all information requested was provided in a timely manner.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1493 365">The Warden and the PREA Compliance Manager ensures that PREA Audit Reports for the facility are published on the agency's website within 90 days of the completion of the report. Reports for all facilities for all reporting periods are posted on the agency's website and easily accessible to the public.</p> <p data-bbox="244 398 1461 490">Interviewed administrators indicated the Annual Sexual Assault Prevention Program (PREA) Reports are posted for public viewing on the agency website. Indiana Department of Corrections also posts Survey of Sexual Violence Reports on the agency website for public review.</p> <p data-bbox="244 524 1485 647">The auditor reviewed the Agency's website and reviewed the previous PREA Audit reports state and private facilities as well as the Annual Sexual Assault Prevention Program (PREA) reports that were posted on the website. The auditor downloaded the last PREA audit for Indiana State Prison dated August 26, 2019 from the agency's website. Reports can be accessed on the Indiana Department of Correction website at https://www.in.gov/idoc/divisions/prea/.</p>

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

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

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

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

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

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

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

115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	no
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

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

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

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

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

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

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

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

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

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

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

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

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

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

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

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

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

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

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

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

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

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

115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	yes
115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
115.401 (n)	Frequency and scope of audits	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
115.403 (f)	Audit contents and findings	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes