

PREA Facility Audit Report: Final

Name of Facility: Westville Correctional Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 08/16/2022

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: Darla P. O'Connor	Date of Signature: 08/16/2022

AUDITOR INFORMATION	
Auditor name:	O'Connor, Darla
Email:	darla@preaauditing.com
Start Date of On-Site Audit:	06/21/2022
End Date of On-Site Audit:	06/23/2022

FACILITY INFORMATION	
Facility name:	Westville Correctional Facility
Facility physical address:	5501 S. 1100 West , Westville , Indiana - 46391
Facility mailing address:	

Primary Contact	
Name:	John Hicks
Email Address:	jhick1@idod.in.gov
Telephone Number:	219-786-2511 ext 40

Warden/Jail Administrator/Sheriff/Director	
Name:	John Galipeau
Email Address:	jgalipeau@idoc.in.gov
Telephone Number:	219-785-2511 Ext 4

Facility PREA Compliance Manager	
Name:	John Hicks
Email Address:	jhicks1@idoc.in.gov
Telephone Number:	

Facility Health Service Administrator On-site	
Name:	Dorothy Livers
Email Address:	dlivers@idoc.in.gov
Telephone Number:	219-785-2511 ext 48

Facility Characteristics	
Designed facility capacity:	3413
Current population of facility:	2845
Average daily population for the past 12 months:	2500
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 up
Facility security levels/inmate custody levels:	level 1, 2, 4
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	593
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	82
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	0

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	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
Number of standards exceeded:	
1	<ul style="list-style-type: none"> • 115.15 - Limits to cross-gender viewing and searches
Number of standards met:	
40	
Number of standards not met:	
0	
<p>Not audited at the facility level: Audited at the agency-level, and not relevant to the facility-level audit because the facility has no independent responsibility for the operation of these standards.</p>	4

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2022-06-21
2. End date of the onsite portion of the audit:	2022-06-23

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:	The Auditor contacted the Indiana Coalition Against Domestic Violence (ICADV), St. Franciscan Hospital and Justice Detention International (JDI). ICADV and JDI both reported they had not had any contact with inmates or staff from WCF in the past twelve months. St. Franciscan Hospital reported in the past twelve months eight inmates had forensic exams in the past twelve months. Each inmate was provided an accompaniment advocate for the exam.

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	3413
15. Average daily population for the past 12 months:	2500
16. Number of inmate/resident/detainee housing units:	4
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:	2800
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:	25
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:	7

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:	2
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	3
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:	8
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:	16
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:	5
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 did not find any evidence of targeted groups not being tracked.
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:	593
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:	126
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:	82

<p>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:</p>	<p>WCF offers the inmate population a variety of volunteer program services, ranging from support groups to numerous community religious organizations, with a list of twenty-eight volunteers. The schedule of volunteers varies upon whether their program is daily, weekly, semi- monthly, or monthly. One volunteer was interviewed as part of this audit. The volunteer was chosen due to availability. The only contractors who have any contact with the inmate population are directly associated with the food service, education, and medical/mental health. These contract staff members are provided specific PREA training as it relates to their specific responsibilities and roles within the facility, in addition to the IDOC specific PREA training. The Auditor conducted one interview with a food service contractor. The contractor was chosen because of availability.</p>
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INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>25</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None

<p>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</p>	<p>Random Inmate Interviews: The institutional count the first day of the on-site audit was 2,800. The auditor asked the facility to run a roster and highlight every fifteenth name. Interview participants were chosen from these highlighted names. If the inmate selected was in a housing unit the facility could not pull for an interview (due to COVID-19 protocols), she went down the roster, inmate by inmate, until an inmate was found in a housing unit, which could be pulled for an interview. Twenty-five formal random inmate interviews were conducted with inmates in varying custody levels. At the beginning of each formal interview the Auditor made clear to the inmate why she was at the facility, what her role was in the PREA process and explained why interviews were needed. She discussed the inmate's participation as voluntary and while helpful, was not required or mandated in any way. She asked the inmate if he wanted to participate and if so, could she ask him a few questions. Once being given the inmate's permission to proceed, she would ask the protocol questions. All random inmates willing participated in the interview process. All responses were recorded by hand.</p> <p>During the on-site tour, the Auditor had several conversational encounters with inmates regarding PREA, including education, reporting, communication, responses, etc. This information was used to supplement the overall audit information gathering process.</p>
<p>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>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):</p>	<p>There were no barriers to completing interviews. There were no barriers to ensuring representation.</p>
<p>Targeted Inmate/Resident/Detainee Interviews</p>	
<p>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>25</p>
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<p>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>4</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>1</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>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>1</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 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>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>8</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>4</p>
<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>3</p>
<p>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:</p>	<p>0</p>

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The PAQ reflected in the past twelve months, zero inmates were placed in segregated housing for risk of sexual victimization. Upon arrival at WCF the PCM confirmed this information.</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>Targeted Inmate Interviews: The Auditor conducted twenty -five interviews of those inmates who had been identified for interviews based upon specific PREA standards. Out of the ten categories, there were inmates who fell into nine categories. WCF reported there were no inmates placed in segregated housing for risk of sexual victimization.</p> <p>The Auditor selected inmates from the list received from the PCM. The Auditor used the alphabetical housing unit rosters of inmates to randomly select inmates from various age groups, ethnicities, and races. Each inmate was escorted, by the PCM, to the area designated for interviews.</p> <p>At the beginning of each interview, the Auditor made clear to the inmate why she was at the facility, what her role was in the PREA process and explained why interviews were needed. The Auditor also discussed the inmate's participation as voluntary and while helpful, was not required or mandated in any way. The Auditor then asked the inmate if he wanted to participate and if so, could she ask him a few questions. The Auditor would then ask the random protocol questions followed by the specific targeted protocol questions. All responses were recorded by hand.</p> <p>Due to the COVID-19 pandemic, all inmates and the Auditor were wearing cloth or paper masks. Six feet of separation was given between the Auditor and the interviewee as a safety measure. During the inmate interviews, no PREA issues were revealed, no other interview protocols were accessed. All inmates interviewed responded they were aware of the zero-tolerance policy, they knew how to report an incident, and knew they could report anonymously.</p>

Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>15</p>
<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input checked="" type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>

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):	Random staff were selected from the staff available on each shift during the on-site portion of the audit.
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):	30
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 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 checked="" 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 checked="" type="checkbox"/> Other
<p>If "Other," provide additional specialized staff roles interviewed:</p>	<p>Classification staff and mailroom staff were also interviewed.</p>
<p>81. Did you interview VOLUNTEERS 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 VOLUNTEERS who were interviewed:</p>	<p>1</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 type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Mental health/counseling</p> <p><input checked="" 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>1</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 type="checkbox"/> Medical/dental</p> <p><input checked="" type="checkbox"/> Food service</p> <p><input type="checkbox"/> Maintenance/construction</p> <p><input type="checkbox"/> Other</p>
<p>83. Provide any additional comments regarding selecting or interviewing specialized staff.</p>	<p>Specialized Staff Interviews: In some instances, a single person was responsible for covering more than one protocols, i.e. First responder/Intermediate or higher staff, Intake staff/Monitor for retaliation, Intake staff/Screening for risk of victimization and abusiveness, etc.</p> <p>Using the list of specialized staff received from the PCM, the Auditor was able to obtain interview responses from specialized staff. All questions were based on the line of questioning on the appropriate interview protocols. The Auditor provided clarification when requested, to guarantee the questions were understood, ensuring clear responses to enable accurate determinations of compliance with applicable standards. During the interview process with specialized staff, the Auditor learned PREA investigations can be initiated in several ways: the tablets can be used to report PREA incidents electronically; "confidential" letters can be mailed out of the facility, through PREA hotline calls, third party reporting, or through notifying a staff member. Depending on whether the PREA complaint is administrative or criminal, determines who will investigate. In the event the complaint is categorized as inmate-on-inmate sexual harassment, it is assigned to the facility PCM for follow-up. If during the investigation it is determined, a criminal act has occurred, the investigation stops, and the information is immediately turned over to the appropriate authorities for prosecutorial review..</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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<p>86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>88. Informal conversations with staff during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>Westville Correctional Facility (WCF) is located at 5501 South 1100 West, Westville, Indiana 46390. The facility is in the northern section of the state. The auditor conducted pre-audit work prior to arrival at the facility. Pre-audit work included but not limited to review of the Pre-Audit Questionnaire (PAQ), documentation review on the agency secure file upload site, email correspondence, and telephone calls.</p> <p>WCF is comprised of 97 buildings with four housing units. The following areas and locations were toured. Administration Building, Housing Buildings A, B, C, D, E, G, N, O, P, and S; GSC 3-4 Dorms, GSC 5-6 Dorms, GSC 7-8 9 Dorms, GSC Center Segregation, GSC 9-10 Dorms, GSC Administrative Offices, GSC Gym, GSC Kitchen, Heavy Equipment Shop, IC Administrative Offices, IC Multipurpose Building, Landscaping Storage, Landry, Main Kitchen, WCJ, Pallet Shop, Personnel Building, Personnel Kitchen, Power House, Sally ports, Sewage Treatment Plant, Sign Shop Warehouse, Vocational Shop, Warehouse, Auditorium, Cold Storage, Commissary Warehouse, EC Multipurpose Building, EC Administrative Offices, Engineering Shops, Engineering Storage, Frozen Food Storage, Furniture Repairs and Refurbishing.</p> <p>In the housing units, the offender phone system was tested and were found to be functional. The auditor also observed inmate tablets being used.</p> <p>The PREA audit notices along with IDOC PREA posters were posted throughout the facility.</p> <p>While touring the facility, doors and offices were checked consistently to ensure they are secured and locked. The auditor observed the location of bathrooms, toilets, and showers to ensure inmate privacy from cross gender direct viewing.</p> <p>During the facility tour the auditor had informal dialogue with inmates and staff, asking questions regarding PREA procedures and safety.</p>
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Documentation Sampling

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

<p>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?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>Document Reviews:</p> <p>A thorough review of the Indiana Department of Corrections, as well as the facility specific policies were included in all three phases of the audit: Pre-Audit, On-Site, and Post- Audit.</p> <p>Prior to conducting the on-site visit to the facility, the Auditor requested the facility identify a comprehensive list of inmates, staff, volunteers, and contractors along with relevant facility records to determine the universe of information from which the Auditor would sample during the on-site portion of the PREA audit. From these lists, the auditor selected representative samples (i.e., inmates and staff) for interviews and document reviews during the on-site portion of the audit. The list requested by the Auditor in the pre-on-site audit phase is listed below:</p> <ol style="list-style-type: none"> 1. Alpha listing of all inmates 2. Roster of Inmates with disabilities (i.e., physical disabilities, hard of hearing, deaf, blind, & cognitive disabilities) 3. Roster of inmates who are Limited English Proficient (LEP) 4. Roster of inmates in segregated housing
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5. Roster of inmates who are or perceived to be Lesbian, Gay or Bisexual
6. Roster of inmates who are or perceived to be Intersex or Transgender
7. Roster of inmates who reported prior sexual victimization during risk screening
8. Roster of inmates who reported sexual abuse that occurred in WCF or a different facility
9. Complete alpha staff roster including position or rank
10. Complete alpha roster of staff promoted over the past 12 months
11. Complete alpha roster of new staff in past 12 months
12. Complete list of investigative staff who conduct sexual abuse investigations, for internal and external investigations
13. Complete list of contractors who have contact with inmates
14. Complete list of volunteers who have contact with inmates
15. Copies of all files of Sexual Abuse and Sexual Harassment Investigations conducted in the past 12 months
16. Copies of all grievances submitted over the past 12 months which claim allegations sexual abuse, sexual harassment, or retaliation, including:
 - o Total number of allegations
 - o Number determined to be Substantiated, unsubstantiated or unfounded
 - o Number of cases in progress
 - o Number of criminal cases investigated
 - o Number of administrative cases investigated
 - o Number of criminal cases referred to prosecution; number indicted; number convicted; number acquitted
17. List of all hotline calls made in the 12 months preceding the audit
18. List of all 3rd party reports of inmate sexual abuse, sexual harassment, or retaliation
19. Copies of all incident review team cases conducted over the past 12 months
20. List of SAFE/SANE individuals to include name of facility, address, telephone number and email address
21. List of community-based advocacy organization(s) utilized by the facility

Upon arrival at the facility, the Auditor was provided the requested list of documents, files, and records. From this information, the Auditor selected and reviewed a variety of files, records and documents summarized in the following table and discussed in detail below:

Name of Records	Total Number of Records	Number of Records sampled and Reviewed
Personnel Records	593	50
Training Records	593	50
Inmate records	2800	50
Grievances	0	0
Incident Reports	18	18
Investigation Records (SA and SH)	18	18

Personnel and Training Files:

There were fifty record reviews conducted, including staff hired or promoted within the last twelve months. All the files contained all the required documentation, i.e., initial criminal background check, administrative adjudication, initial PREA education with acknowledgment form signed, PREA annual training and five-year criminal background check, when applicable.

Inmate Records:

There were fifty inmate records, chosen randomly from the master roster, with varying arrival dates. All fifty records had a signed acknowledgment sheet, had received an orientation booklet, PREA brochure and viewed the PREA video. All fifty inmates had received PREA information during intake and had their PREA screening within 72 hours of admission. Fifty were reassessed within 30 days of their 72-hour intake screening. Fifty inmates received comprehensive PREA education within thirty days of arrival.

Grievances:

On the PAQ, WCF indicated they had zero grievances for alleged sexual abuse and harassment in the past twelve months.

Therefore, there was no documentation to review.

Incident Reports:

At the time of the audit, the information received regarding the allegations of sexual abuse and sexual harassment indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous 12 months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-in-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was provided to the victim.

The documentation review included the original complaint, the referral for investigation, referrals for mental health and/or medical, and all subsequent available paperwork, including administrative remedy forms and responses where applicable.

These reports were reviewed using the PREA audit investigative records review tool to record the following information relative to each investigative report:

- Case# / ID
- Date of Allegation
- Date of Investigation
- Staff-or-Inmate-on-Inmate
- Sexual Abuse or Sexual Harassment
- Final Disposition
- Is Disposition Justified?
- Investigating Officers
- Notice Given to Inmate

The documentation confirmed the referral for investigation, referrals for mental health or medical, and all subsequent available paperwork. The allegations were investigated appropriately and

timely and a finding was made as indicated previously. The inmate was given proper notice of the findings on all closed cases. Sexual abuse incident reviews were completed on all closed sexual abuse cases.

Investigation Files:

Information received regarding the allegations of sexual abuse and sexual harassment indicate there were eighteen total sexual abuse and sexual harassment allegations received during the previous 12 months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-in-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was provided to the victim.

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	9	0	9	0
Staff-on-inmate sexual abuse	8	0	8	0
Total	17	0	17	0

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

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

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	0	8	1
Staff-on-inmate sexual abuse	0	2	5	1
Total	0	2	13	2

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	1	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	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:	18
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:	9
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)

Staff-on-inmate sexual abuse investigation files

103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	8
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
Sexual Harassment Investigation Files Selected for Review	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	1
107. Did your selection of SEXUAL HARASSMENT 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 harassment investigation files)
Inmate-on-inmate sexual harassment investigation files	
108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	1
109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
Staff-on-inmate sexual harassment investigation files	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0

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

114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.

WCF had eighteen PREA allegations in the past twelve months. The Auditor reviewed each of the eighteen PREA investigation files.

At the time of the audit, the information received regarding the allegations of sexual abuse and sexual harassment indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous twelve months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-on-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was assigned.

The documentation review included the original complaint, the referral for investigation, referrals for mental health and/or medical, and all subsequent available paperwork, including administrative remedy forms and responses where applicable.

These reports were reviewed using the PREA audit investigative records review tool to record the following information relative to each investigative report:

- Case# / ID
- Date of Allegation
- Date of Investigation
- Staff-or-Inmate-on-Inmate
- Sexual Abuse or Sexual Harassment
- Final Disposition
- Is Disposition Justified?
- Investigating Officers
- Notice Given to Inmate

The documentation confirmed the referral for investigation, referrals for mental health or medical, and all subsequent available paperwork. The allegations were investigated appropriately and timely and a finding was made as indicated previously. The inmate was given proper notice of the findings on all closed cases. Sexual abuse incident reviews were completed on all closed sexual abuse cases.

SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

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.

- Yes
- No

Non-certified Support Staff

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

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

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Documentation Reviewed:

- Westville Correctional Facility (WCF) Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- Indiana Department of Corrections (IDOC), Adult Disciplinary Process Offenses and Sanctions, dated March 1, 2020

Interviews with the following:

- Agency PREA Coordinator (APC)
- PREA Compliance Manager (PCM)

Provision (a)

The Pre-Audit Questionnaire (PAQ) indicates WCF has zero tolerance as it relates to all forms of sexual abuse or sexual harassment in the institution, as well as any contracts over which it has control. The PAQ states the policy outlines how the facility will implement prevention, detection and response to sexual abuse and sexual harassment. It further asserts the policy includes clear definitions of prohibited behaviors and approved sanctions for participation in those behaviors.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 2, states the Department of Correction is Committed to zero tolerance for all forms of sexual abuse and sexual harassment between staff, volunteers, contractual staff, visitors, or other offenders. Sexual activity between staff, volunteers, contractual staff, visitors, or official visitors, and offenders, regardless whether consensual or not, is prohibited.

Indiana Department of Corrections (IDOC), Adult Disciplinary Process Offenses and Sanctions, dated March 1, 2020, pp. 2, 3, describes 114 - Sexual Act with a Visitor and 115 - Nonconsensual Sexual Act as Class A Offenses. 205 - Abusive sexual contact with a visitor; 206 – Abusive sexual act with another offender; 216 – Sexual conduct are categorized as Class B Offenses. 302 – Sexual Harassment is classified as a Class C Offense. Class A & B are considered major offenses. Class C & D are considered minor offenses.

Provision (b)

The IDOC employs an upper level, agency wide PREA Coordinator. According to the IDOC Organizational Chart, the PREA coordinator reports to the Executive Director of Adult Facilities. The PREA coordinator has direct oversight of PREA compliance managers throughout the state. The PREA coordinator, is a full-time position, responsible for the: development, implementation, and oversight of PREA standards at all of the assigned facilities. Regular interactions occur via email, conducting training via classroom, or webinar.

The APC is classified at the Executive level as confirmed through a review of the agency organization chart. The APC has regular contact with all Indiana Department of Corrections (IDOC) facilities throughout the state.

The interview notes of the APC indicate the APC is a full-time position dedicated solely to PREA compliance. The APC feels he has sufficient time to fulfill his PREA related responsibilities. Each facility has one PREA Compliance Manager (PCM).

The APC provides training to all new PCM's. He is a resource for the PCM and interacts with them via email, telephone, and in-person, and when he visits their facilities.

Provision (c)

WCF has one PCM, who reports directly to the Warden, which was confirmed by a review of the institutional organizational chart. Through interviews with the agency APC and the institution PCM, it was confirmed the PCM has the responsibility to ensure the complex's compliance with the PREA standards and has the authority to address all PREA issues.

During interviews with the PCM, he indicated he has sufficient time to complete his responsibilities. It is evident he is knowledgeable of the responsibilities of the position and is competent to fulfill them.

Conclusion:

Based upon the review and analysis of the available evidence, the Auditor has determined that the WCF meets every provision of the standard, which addresses zero-tolerance of sexual abuse and sexual harassment. No recommendations or corrective action.

115.12	Contracting with other entities for the confinement of inmates
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 <p>Interviews with the following:</p> <ul style="list-style-type: none"> · PREA Compliance Manager (PCM) · Agency Contract Administrator <p>Provision (a)</p> <p>WCF Pre-Audit Questionnaire (PAQ) revealed the Indiana Department of Corrections (IDOC) requires all entities who contract with them for the confinement of inmates to adopt and adhere to PREA standards. All agency contracts for confinement of inmates contain PREA specific language, expectations, and requirements. WCF does not individually contract for the confinement of inmates.</p> <p>The interview notes of the Agency Contract Administrator indicate all contracts for confinement of inmates have been modified to include PREA specific language. Further, the notes indicate the IDOC is responsible for monitoring the compliance of all entities with which they contract to ensure PREA compliance.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 7-8, outlines the requirements and responsibilities for contracting with other entities for the confinement of offenders. Page 7, B, 1, states 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>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 8, 2, states in part, any new contract or contract renewal shall provide for Department contract monitoring to ensure that the contractor is complying with the PREA standards.</p> <p>Provision (b)</p> <p>According to the Agency Contract Administrator, the policies and procedures of each contractor are reviewed by IDOC who ensure appropriate adherence to the national standards. Each entity is contractually required to notify the IDOC of any PREA allegations, as well as forward a copy of the allegation, investigation, and findings to APC for review. The APC reviews any PREA allegation to ensure compliance with the PREA requirements. These reviews are documented in monitoring reports.</p> <p>All contractors are required to obtain national PREA certification, with subsequent recertification every three years. Proof of this certification and recertification are submitted to the APC to ensure compliance.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of the available evidence, the Auditor has determined that the WVF meets all provisions of the standard, which addresses contracting with other entities for the confinement of inmates. No recommendations or corrective action.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- WCF Staffing Plan 2021
- WCF 2021, Staffing Reviews

Interviews with the following:

- Facility Head – Warden
- PREA Compliance Manager (PCM)
- Agency PREA Coordinator (APC)
- Intermediate-or-Higher Level Facility Staff Provision (a)

On the PAQ, WCF indicated they have a staffing plan, and it addresses each of the thirteen items listed in Provision (a).

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 8, C, 1, indicates in calculating adequate staffing levels and determining the need for video monitoring facilities, shall take into consideration.

- Generally accepted detention and correctional practices
- Consideration of any judicial findings of inadequacy
- Any findings of inadequacy from any Federal investigative agency
- Any findings of inadequacy from internal or external oversight bodies
- All components of the facility's physical plant, including potential blind spots
- The composition of the inmate population
- The number and placement of supervisory staff
- Institutional programming and options for supervision of inmates
- Any applicable state or local laws, regulations, or standards; and
- The prevalence of substantiated or unsubstantiated incidents of sexual abuse and sexual harassment.

In addition, the Auditor reviewed copies of the 2020, 2021 annual PREA staffing report. The report was comprehensive and addressed each of the bullet items required according to Provision (a). Annually quality assurance audits are conducted to ensure compliance with the established staffing model. The staffing plan is predicated upon an average daily inmate population of 2,980, the average daily number of inmates during the time of the audit was 2,800

Interviews with the PCM and other executive staff indicated random reviews of the staffing levels, how they affect the inmate programming, various classification counts, as well as any changes or modification to the video monitoring system are consistently conducted. Reviews of other concerns, such as the physical plant configuration, internal or external oversight bodies, inmate population configuration, and placement of supervisory staff, line-staff needs and prevalence of substantiated or unsubstantiated incidents of sexual abuse are also consistently conducted.

Provision (b)

WCF has established a minimum staffing requirement. In the event a mandatory post is vacant, the post is filled with overtime staff or staff redirected from non-mandatory posts. On the Pre-Audit Questionnaire (PAQ), WCF reported there had been no deviations from the staffing plan in the past 12 months.

Staffing plan deviations are not problematic at WCF. They report they are adequately staffed; staff morale is above average and no one who is assigned to a 24/7 post is allowed to leave that post until relieved by another staff member. In reviewing documentation, the Auditor did not find an occurrence of staffing plan deviation in the past 12 months.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 9, 2, indicates the staffing plan shall be review, updated, and submitted to the assigned Executive Director of Adult Facilities and Executive Director of PREA annually, no later than January 31 of each year.

Policy requires an annual internal audit of the staffing plan. This assessment is an extensive review of all areas of the facility to ensure adequate staffing levels exist where inmates may be present. The annual review of the staffing plan includes facility and department management level staff, which include the PCM, the Warden, as well as other institutional management staff. The Auditor reviewed different shift rosters and was able to verify that an assigned staff member covered each mandatory post.

WCF has a comprehensive camera system, with a fully staffed monitoring control room. The camera system has been well thought out, and strategically designed to optimize oversight of all aspects of the facility. Specially trained staff, who are assigned specifically to the monitoring control room, monitor camera and video surveillance. In addition to the camera and video system, WCF also uses security mirrors throughout the institution to enhance the level of safety and security for staff and inmates.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 9, c, mandates that intermediate level or higher-level supervisors conduct and document unannounced rounds on all shifts. These rounds are completed by the supervisory staff and documented in housing unit logs. The Auditor reviewed the housing unit logs and confirmed these unannounced rounds are being completed as required by this standard.

In speaking with the PCM, he stated, while not documented, he as well as other supervisors, tour the units and areas regularly throughout the three shifts, talk to staff at all levels as well as inmates. During the three days, the Auditor was on-site; numerous supervisors were observed walking and working in various capacities throughout the facility. When interviewing inmates, it was confirmed the PCM, and other supervisory staff routinely walk around and through the institution and are visible and available to all inmates.

There was one interview with intermediate or higher-level staff. This interview affirmed that staff are making unannounced rounds to all areas of the facility, with no warning to staff. During random informal interviews and discussions with staff, it was confirmed that supervisors and the PCM, conduct unannounced tours of the facility and that warning staff is expressly prohibited.

Conclusion:

Based upon the review and analysis of the available evidence, the Auditor has determined that the WCF meets all provisions of the standard regarding Supervision and Monitoring, ensuring that the safety of staff and inmates is a priority. No recommendations or corrective action

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure (POP), 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 · State of Indiana, Indiana Department of Corrections (IDOC). Policy and Procedure, 01-04-102, Classified Assignments for Youth Incarcerated as Adults and Alternatively Sentenced Youth, effective 5-1-2019 <p>Observations during on-site review</p> <p>Interviews with the following:</p> <ul style="list-style-type: none"> · Facility Head – Warden · PREA Compliance Manager (PCM) <p>Provision (a)</p> <p>On the PAQ, WCF reported they do not house youthful inmates. In interviews with the Warden and the PCM, it was confirmed WCF does not house youthful inmates.</p> <p>During the on-site tour, the Auditor did not observe any youthful inmates.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC). Policy and Procedure, 01-04-102, Classified Assignments for Youth Incarcerated as Adults and Alternatively Sentenced Youth, effective 5-1-2019, specifies the guidelines of how youthful inmates would be managed if they were in the facility.</p> <p>Provision (b)</p> <p>N/A</p> <p>Provision (c)</p> <p>N/A</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding youthful inmates. No recommendations or corrective action.</p>

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

Auditor Overall Determination: Exceeds Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-03-101, Searches, effective 6- 1-2019

Observations made during on-site review

Interviews with the following:

- Random Staff
- Transgender Inmates
- Random Inmates

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-03-101, Searches, effective 6-1-2019, indicates a staff member of the same sex as the inmate shall make the search, except where circumstances are such that delay would constitute an immediate threat to the inmate, staff, others, or institution security. Cross- gender searches of inmates are only allowed in exigent circumstances.

Further, it asserts the facility shall not conduct cross-gender strip searches or visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by a medical practitioner. The facility shall document all exigent circumstance cross-gender strip or visual body cavity searches. Each of the reviewed policies are consistent with the PREA standard and outlines the agency’s approach to sexual abuse prevention and protection.

Random staff were questioned about cross-gender search practices. All staff interviewed recalled having the training specific to this and reported that cross-gender strip searches or cross-gender body cavity searches do not occur at this facility.

Provision (b)

Each of the inmates interviewed confirmed they had never been part of a cross- gender search.

Random staff were questioned about cross-gender search practices. When asked how the female staff would proceed if a male staff member was not available, each indicated there is always a male staff member on duty, who can be directed to the area to conduct the search. All staff recalled receiving training on opposite gender searches; however, each of them articulated that in all instances cross-gender searches are not conducted at the facility. All staff (both male and female) reported cross-gender strip searches or cross-gender body cavity searches do not occur at this facility.

Provision (c)

On the PAQ, WCF reported there had not been any cross-gender searches of any kind, i.e., strip, visual or pat conducted in the past 12 months.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-03-101, Searches, effective 6-1-2019 indicates all cross-gender strip searches as well as all cross-gender body cavity searches must be documented. The reviewed policy is consistent with the PREA standard.

During the interviews with random staff, the interviewer asked under what circumstance would cross-gender searches occur. All staff questioned indicated that there were sufficient male staff members available to conduct any searches that needed to occur, and that male staff would be diverted to address this issue if needed.

Provision (d)

On the PAQ, WCF indicated they allowed inmates to shower, perform bodily functions and change clothes without staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when viewing is incidental to

routine cell checks. Further, the PAQ indicated opposite gender staff are required to announce their presence when entering an inmate-housing unit.

All transgender inmates interviewed reported they were provided an opportunity to shower privately.

When staff were specifically asked would transgender or intersex inmates be able to shower privately, the answer was affirmative. When asked how this would be arranged, staff reported all showers throughout the complex are individual shower stalls and provide privacy to each inmate.

Each staff member further stated the transgender or intersex inmate would have the opportunity for input into the decision-making process of alternative shower times and the inmate's input would carry great weight in the decision-making process.

During the facility tour, when opposite-gender staff were observed entering a housing unit, a staff member made an announcement. The Auditor was also announced by WCF staff when entering inmate housing and restroom areas as she was of opposite gender.

In response to the question of whether opposite gender announcements are made on housing units, out of the forty inmates interviewed, all reported female staff announce their presence when entering the housing unit. All inmates affirmed opposite gender staff announce their presence before entering the bathroom.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-03-101, Searches, effective 6-1-2019 indicates that no staff member shall search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. The reviewed policy is consistent with PREA standards.

Each of the inmates interviewed confirmed they had never been part of a cross- gender search.

Each staff member specifically stated that no searches would ever be permitted for the sole purpose of identifying an inmate's genital status.

All transgender inmates interviewed confirmed they had never been searched for the sole purpose of determining his genital status.

Provision (f)

The Auditor reviewed the most recent PREA training documentation for WCF staff. Training topics included appropriate search techniques, specifically cross-gender pat searches and searches of transgender and intersex inmates. The Auditor verified the list of staff receiving the training correlated to the existing WCF staff listed on the staff roster. Participants signed an acknowledgment of training materials. Additional training documents provided direction to staff on proper documentation practices if cross-gender searches were conducted.

When female staff were asked how they would proceed if a male staff member were not available, each indicated there was never an instance when a male staff is not on duty who would be directed to the area to conduct the search to ensure cross-gender searches are not performed. All staff interviewed recalled receiving training on opposite gender searches; however, each of them articulated that in all instances female staff do not conduct cross- gender searches and will always defer to a male staff member to complete the search. During the facility tour, opposite gender staff were observed entering the housing units and announcements of their presence were made. WCF staff when entering the inmate housing and restroom areas announced the opposite gender Auditor.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF exceeds the standard regarding the limits to cross-gender viewing and searches.

115.16 Inmates with disabilities and inmates who are limited English proficient

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- Purchase Agreement with Language Training Center and the IDOC, for in-person interpretive services, effective 01-08-2021 through 02-01-2023
- Purchase Agreement with Propio Ls, LLC and the IDOC, for telephonic interpretive services, effective 01-08-2021 through 02-01-2023
- Staff attendance record for PREA Annual Training Observations of PREA poster locations during on-site tour of facility

Interviews with the following:

- Facility Head - Warden
- Random Staff
- Inmates with disabilities or LEP

Provision (a)

On the PAQ, WCF reported the IDOC, as well as WCF, have established procedures to provide disabled inmates and limited English proficient inmates with equal opportunity to participate in and benefit from all aspects of the agency's effort to prevent, detect and respond to sexual abuse and sexual harassment.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 11, F, indicates the PCM shall reach out to local disabilities assistance offices to provide all inmates accessible education formats if an inmate has special needs (i.e., language barriers, visually impaired, deaf, limited reading skills or otherwise disabled), and not rely on inmate for this service.

During the tour, the Auditor also observed the PREA posters were prominently displayed in each housing unit, work area, hallways, as well as numerous other areas throughout the facility in both English and Spanish. The Auditor was provided written documents, training materials, as well as PREA brochures, which are in both English and Spanish to the inmate population.

During the interview with the Warden, he shared that WCF has established procedures to provide inmates with disabilities and inmates who are Limited English Proficient (LEP), the opportunity to participate in PREA reporting process through several avenues such as, staff interpreters, written correspondence, etc.

WCF utilizes Language Training Center which is an in-person interpretive services. These services are on-demand 24 hours a day 7 days a week. Anytime a translation service is needed, and the Language Training Center or Propio, Inc is not available, the staff can use Google Translate. Google translate can be accessed via a computer with an attached microphone to address any translation needs for the inmates of the facility. Currently, Google Translate supports 103 different languages, and is available 24 hours a day, 7 days a week.

The Auditor interviewed inmates with disabilities. The disabilities were: physically disabled, hearing impaired, visually impaired, cognitively disabled, and Limited English Proficient (LEP). No inmate reported feeling vulnerable due to their disability. Each disabled inmate was asked does the facility provide information about sexual abuse and sexual harassment that you can understand, and they each answered affirmatively. When the disabled inmates were asked, do you understand your rights related to sexual abuse and how to report sexual abuse or harassment, they all responded in the affirmative. The LEP inmates confirmed they were given materials in Spanish as needed.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 denotes numerous items relative to ensuring each inmate is given information in verbal and written form,

and that all information regarding IDOC's PREA policy is understood by the inmate. Additionally, it dictates inmate PREA education information will include prevention of sexual abuse and harassment, self- protection, methods of reporting, and treatment and counseling availability.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, addresses the prohibition of using other inmates for translation services.

IDOC requires that only professional interpreters or translation services, including sign language, are available to assist inmates in understanding PREA policy, how to report allegations, and/or participate in investigations of sexual misconduct. The policy states inmates are not authorized to use interpretation/translation services from other inmates, family members or friends for these purposes. The limited exception is when a delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of the first responder duties under §115.64 or the investigation of the inmate's allegations.

Of the random staff interviewed, all recalled the process of how to utilize Propio LS, LLC and Language Training Center, Inc. for interpretation services. Many indicated in the event translation is required, they would try to find another staff member to provide translation and then contact the supervising officer before using interpretive services.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding inmates with disabilities and inmates who are limited English proficient. No recommendations or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 04-03-103, Information and Standards of Conduct for Departmental Staff, Effective 12-01-2012
- Personnel record reviews

Interviews with the following:

- Human Resource (HR) Staff
- Random Inmates

Provision (a)

On the PAQ, WCF reported to have 593 total staff with 189 new hires in the past twelve months. Further, they reported eighty-two contractors and one hundred twenty-six volunteers who have contact with inmates.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 04-03-103, Information and Standards of Conduct for Departmental Staff, effective 12-01-2012, declares that IDOC agency policy prohibits the hiring or promotion of an employee or contractor who may have contract with inmates who:

1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution
2. Has been convicted of engaging or attempting to engage in sexual activity in the community, facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
3. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a) (2) of this section.

The Auditor reviewed fifty staff records. The Auditor was able to verify the records reviewed contained all items required by the standard, including PREA documentation and verification of the completed criminal background checks.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 04-03-103, Information and Standards of Conduct for Departmental Staff, effective 12-01-2012, indicates the agency shall consider any incidents of sexual harassment in determining whether to hire or promote anyone or to enlist service of any contract, who may have contact with inmates.

The Auditor interviewed the Human Resource (HR) staff concerning the hiring practices of the WCF. HR staff indicated that the potential hire is required to fill out the personnel documents, which require the disclosure of the standard required items. The HR staff stated the IDOC and WCF takes a very proactive position with the PREA standards and have developed a comprehensive tracking system to ensure all required criminal background checks are completed for pre-hires, promotions, and five-year reviews. The Auditor conducted a review of the fifty personnel records and verified that all the records reviewed contained the items required by the standard, including the PREA documentation and verification of the completed criminal background checks.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 04-03-103, Information and Standards of Conduct for Departmental Staff, effective 12-01-2012, indicates before hiring a new employee or contractor, the IDOC shall:

- 1) conduct a criminal background record check, 2) make its best efforts to contact all prior institutional employers in regard to substantiated allegations of sexual abuse or any resignation during a period of sexual abuse investigation; 3) ask potential employees and contractors about previous misconduct described in Paragraph V, A, 4, a of this regulation; 4) Apprise

potential employees and contractors that false information or material omissions regarding such misconduct shall be grounds for termination and that they have a continuing duty to disclose such conduct.

The Auditor interviewed the HR staff concerning hiring practices of WCF. HR staff stated the IDOC requires background checks on all new hires and promotions at the time of the hire or promotion. As well as existing staff every five years.

In the preceding 12 months there were 189 persons hired who may have contact with inmates who had a criminal background check completed. The Auditor conducted a review of fifty personnel records, some of which were new hires, and verified all the records contained the items required by the standard, including the PREA documentation and verification of the completed criminal background checks.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 04-03-103, Information and Standards of Conduct for Departmental Staff, Effective 12-01-2012, indicates that before hiring a new employee or contractor, the IDOC shall conduct a criminal background records check.

On the PAQ, WCF reported there are eighty-two contractors who might have contact with inmates. Additionally, in the PAQ, WCF reported criminal background record checks were conducted and current on all eighty-two staff covered in the contracts. WCF provided documentation for review indicating these eighty-two criminal background checks are current for this reporting cycle.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 04-03-103, Information and Standards of Conduct for Departmental Staff, Effective 12-01-2012, p. 10, VIII, A, requires the IDOC to conduct a criminal background records check every four years on all current employees and contractors .

The Auditor interviewed the HR staff who stated the agency has a centralized database, that tracks the completion of all criminal background checks, and tracks the due dates of the four-year criminal background check.

Provision (f)

During the interview process with HR staff, it was indicated all applicants and employees who may have contact with inmates are directly asked about previous misconduct described in paragraph (a) of this section in written applications and self-evaluations or interviews for hiring or promotions.

During the interview process, HR staff indicated that a condition of staff employment is that any arrest activity must be reported through the respective employees reporting structure. Additionally, any information on substantiated allegations of sexual abuse or sexual harassment involving a former employee must be provided upon request.

Provision (g)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 04-03-103, Information and Standards of Conduct for Departmental Staff, Effective 12-01-2012, p. 10, states that material omissions regarding such misconduct (as stated in this provision) shall be ground for termination and that they have a continuing duty to disclose such conduct.

Provision (h)

During the interview, HR staff confirmed that unless prohibited by law, all information would be provided on substantiated allegations of sexual abuse or sexual harassment involving a former employee would be shared upon request from an institutional employer for whom such employee has applied for work.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding hiring and promotion decisions. No recommendations or corrective action.

115.18	Upgrades to facilities and technologies
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 <p>Observations during on-site review</p> <p>Interviews with the following:</p> <ul style="list-style-type: none"> · Facility Head - Warden · PREA Compliance Manager (PCM) <p>Provision (a)</p> <p>On the PAQ, WCF reported they did conduct renovations on the WCF segregation unit since the last PREA audit. Further they indicated they had updated the video monitoring system since the last PREA audit.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 14, H, specifies that when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facility, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse.</p> <p>The Auditor conducted a comprehensive tour of WCF. WCF staff pointed out the renovations in the segregation unit and the additions/upgrades to the surveillance system.</p> <p>The Warden reported any construction, renovation or modification is done with PREA standards in mind. He further reported there are meetings held regarding any building or construction considerations and that safety and cameras, or other technologies are discussed and considered at such meetings. During these meetings WCF executive staff meet with all key supervisors and managers to discuss any pertinent issues, such as Data/Reporting issues, Grievances, Disciplinary Reviews, Video Summary Reviews, Use of Force Incidents, Incidents of Sexual Abuse, as well as the analysis of key data such as overtime, leave time, morale, etc.</p> <p>Provision (b)</p> <p>During the interview process, the Warden indicated there is no plan at this time to expand their current camera coverage. A completely new facility is in the plans for Westville in the next year or so.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 14, H, indicates when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how much technology may enhance the agency's ability to protect inmates from sexual abuse.</p> <p>WCF camera coverage is monitored in a central control room. This central control room is staffed twenty-four hours a day, seven days a week. The control room has the capability of selecting any area and reviewing footage as needed.</p> <p>WCF cameras are positioned normally within the housing units with front, middle and rear coverage. A camera monitoring capability or a security mirror covers every area accessible by an inmate. The positions allow for privacy in and around areas of showers and restrooms.</p> <p>The Warden expressed that WCF is committed to a robust camera monitoring program and indicated that having the cameras in place has created a sense of security for, staff and inmates, knowing that should an incident occur, an independent observation can be reviewed using the stored video.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding upgrades to facility and technology. No recommendations or corrective action.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-01-103 Investigations and Intelligence, effective 7-1-2019
- Indiana Medical Forensic Examination Providers – 2020
- IDOC Staff Development & Training Victim Advocacy, revised 8/15/19
- IDOC Staff Development & Training SART First Responders, Evidence Protocols and Investigations, dated 8/20/19
- IDOC Staff Development & Training, Sexual Assault Response Team (SART)

Interviews with the following:

- Random Staff
- SAFE/SANE Staff
- PREA Compliance Manager (PCM)

Provision (a)

On the PAQ, WCF reported the facility is responsible for conducting administrative investigations. The local Sheriff Department is responsible for conducting criminal investigations, including inmate-on-inmate sexual abuse and staff sexual misconduct. The PCM provides investigative assistance for those inmate-on-inmate sexual harassment administrative cases.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, states to the extent the agency is responsible for investigating allegation of sexual abuse, the agency shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceeding and criminal prosecutions.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, states the policy of the IDOC is to conduct all investigations in a fair and impartial manner, maintain confidentiality in all investigations, and protect the constitutional rights of all individuals subjected to investigation.

The Auditor interviewed random staff about the rules of evidence, and their understanding of the process should an inmate report alleged sexual abuse. All staff interviewed were able to articulate the basic preservation of evidence component of both victim and abuser. They were also able to explain their responsibilities up to the point when they transfer responsibility to either investigative or medical staff.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, indicates 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 US 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.

WCF does not house youthful inmates.

Provision (c)

On the PAQ, WCF reported all treatment services are provided to the victim without financial cost.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, indicates physical exams and the collection of evidence will be performed by certified contract personnel at the contracted hospital. Further it indicates treatment services shall be provided to the victim without financial cost and

regardless of if the victim names the abuser or cooperates with the investigation.

During the interview with the PCM, he reported in the past twelve months there have been eight inmates transported for SAFE/SANE services. All SANE/SAFE services are provided at St. Franciscan Hospital in Michigan City, IN.

Through the interview process it was revealed the SANE exam includes a forensic exam, prophylaxis for pregnancy and sexually transmitted diseases, photographic documentation, referrals for appropriate medical and psychological follow-up, as well as support and participation in legal proceedings. An advocate is provided for medical accompaniment for all SANE examinations. SANE personnel confirmed the forensic exams are free to the inmate. All WCF inmates are transported to the hospital for forensic exams.

Provision (d)

As stated in Provision (c), a victim advocate is provided during the forensic medical examination.

During the interview with the PCM, he indicated victim advocacy services are offered through contract and are built into the forensic exam process. During the examination, the inmate meets the victim advocate and arrangements are made to provide any necessary and/or requested counseling services. Follow-up counseling is coordinated through the advocate, in collaboration with mental health services.

At the time of the audit, the information received regarding the allegations of sexual abuse and sexual harassment indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous 12 months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-in-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was provided to the victim.

Provision (e)

As stated in Provision (d) during the examination, the inmate meets the victim advocate. The victim advocate provides emotional support, crisis intervention, information, and referrals as necessary and/or requested.

Provision (f)

As reported in Provision (a) the facility is responsible for conducting administrative investigations. The local sheriff department is responsible for conducting criminal investigations, including inmate-on-inmate sexual abuse and staff sexual misconduct.

Provision (g)

Auditor is not required to audit this provision.

Provision (h)

As reported in Provision (d) victim advocacy services are offered through contract and are built into the forensic exam process.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined WCF meets every provision of the standard regarding evidence protocol and forensic medical examinations. No recommendations or corrective action is required.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-01-103, Investigations and Intelligence, effective 7-1-2019

Interviews with:

- Random Staff
- Investigative Staff

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-01-103, Investigations and Intelligence, effective 7-1-2019, p. 1, II, states the office of investigations and intelligence (OII) are responsible for conducting investigations of alleged misconduct by staff and offenders and assisting in maintaining safety and security in the IDOC facilities.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-01-103, Investigations and Intelligence, effective 7-1-2019, p. 13, A, states that all investigators shall receive specialized training for conducting sexual assault and sexual harassment investigations in confinement settings, as well as being trained as Sexual Assault Response Team (SART) member prior to completing investigations of sexual abuse or sexual; assault.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 16, B, 1, states the IDOC shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse or sexual harassment.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 16, B, 2, indicates allegations of sexual abuse are investigated by the facilities investigations and intelligence (I & I) staff. Allegations of sexual harassment are investigated by staff designated by the Warden to conduct administrative investigations. I & I investigators complete all investigations where evidence indicates a possible criminal violations.

The Auditor reviewed documentation that indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous twelve months. At the time of the audit, the information received regarding the allegations of sexual abuse and sexual harassment indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous 12 months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-in-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was provided to the victim.

All staff interviewed knew their responsibility to report any suspicion, or knowledge of an allegation of sexual abuse and sexual harassment. Each reported they were required to make such a report immediately after becoming aware of it.

Provision (b)

The policies regarding the IDOC and WCF's obligation to thoroughly investigate all matters relative to Sexual Abuse and Sexual Harassment are provided in Provision (a).

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, states substantiated allegations of conduct that appear to be criminal shall be referred to the proper agency for prosecutorial review.

WCF ensures all allegations are either followed up through the administrative or criminal investigation process. The policy and processes are published on the agency website, as were verified by the Auditor.

During the interviews, staff indicated all allegations are investigated. Investigations are handled by OII. If an allegation is deemed to be possibly criminal in nature it is referred to the appropriate agency in the appropriate jurisdiction for prosecution prosecutorial review.

Provision (c)

As stated in Provision (a) the agency and facility refer all criminal investigations to the appropriate agency or entity for prosecutorial review.

Provision (d)

Auditor is not required to audit this provision.

Provision (e)

Auditor is not required to audit this provision.

Conclusion:

Based upon the review and analysis of the available evidence, the Auditor has determined that the WCF meets every provision of the standard, which addresses policies to ensure referral of allegations for investigations. No recommendations or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- PREA Training Acknowledgements, 2021
- PREA Lesson Plan 2020 revision

Observations during on-site review

Interviews with the following:

- Random Staff

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 17, VI, A, specifies that all employees will be trained in a minimum of:

1. Zero-tolerance policy
2. How to fulfill responsibilities for sexual abuse and sexual harassment prevention, detection, reporting and response
3. Inmate's right to be free from sexual abuse and sexual harassment
4. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment
5. The dynamics of sexual abuse and sexual harassment in confinement
6. Common reactions of sexual abuse and sexual harassment victims
7. How to detect and respond to signs of threatened or actual sexual abuse
8. How to avoid inappropriate relationships with inmates
9. How to communicate effectively with LGBTI and gender non-conforming inmates
10. How to comply with relevant mandatory reporting laws.
11. Relevant laws regarding age of consent.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 18, b, indicates all employees will be trained annually with a refresher course every two years. New employees will be trained prior to having contact with inmates.

Through the interview process, it was explained the PREA Coordinator organizes PREA training for new and current employees. All non-specialized staff shall receive training to include, but not limited to, the prevention, detection, response, and reporting of allegations of inmate sexual abuse, sexual harassment, and custodial sexual misconduct. Such training shall encompass all required areas employees need-to-know to ensure compliance with PREA standard requirements. Employee instruction shall be accomplished during initial training, annual in-service training, specialized training, and additional training as needed. Employee training shall be documented to denote employee understanding of material and verified through employee signature and refresher trainings shall be accomplished at least every two years.

WCF's curriculum and training materials were reviewed by the Auditor. The core training materials contain all of the elements required by this provision and outlined in Provision (a). Each of the elements is covered in detail in the training and have incorporated numbered training elements to facilitate retention of the required elements. The level or complexity of the training will depend on the employee's classification with some specialized training curriculum depending on the employee's job responsibilities.

The Auditor reviewed staff training documentations, conducted on seasoned staff, as well as staff who were hired within the

past 12 months. Each reviewed record contained all relevant documentation to reflect the staff had met their initial PREA requirements. In addition, the Auditor also reviewed the sign-in sheets for PREA training for the past twelve months which confirmed by staff signatures, each of the employees at WCF had acknowledged receiving the PREA training.

Each of the random staff interviewed recalled attending the initial PREA training when they were hired or when PREA went into effect. All staff interviewed confirmed they receive annual PREA training, as well as additional in-service training.

Provision (b)

The policy regarding the IDOC's and WCF's responsibility to provide training and education regarding sexual abuse and sexual harassment are provided in Provision (a).

The training provided by the IDOC, addresses both male and female issues. However, the WCF training has been tailored specifically to the male inmate population. The Auditor reviewed the training materials utilized for the staff at WCF. The training materials are consistent with this PREA standard. If an employee is reassigned from a facility that houses a different population composition, that employee is retrained or provided refresher training for the population make-up of the new facility prior to being placed in contact with the inmate population.

As stated in Provision (a), the Auditor reviewed the sign-in sheets for the training that occurred at WCF, verifying attendance of WCF staff.

Provision (c)

Of the 593 staff presently assigned to WCF, the Auditor reviewed documentation that reflected all 593 or 100% of the staff have received the PREA training in the past twelve months. WCF also provides additional PREA training annually, as well as shift trainings, staff meetings and posters. WCF staff also receive refresher training every two years.

Provision (d)

PREA training requirements mandate attendance at all PREA required training to be documented through employee signature, acknowledging the training they have received. In some instances, employees are required to complete an Acknowledgement of Receipt of Training upon completion of the training. A copy of these receipts were observed in every record reviewed by the Auditor. The receipts contained various dates which reflected separate training sessions.

In instances where a receipt of training material was not required, staff would sign-in on a training sheet, verifying their attendance at the required training. The Auditor received copies of each training session for the past twelve months, reflecting training completed by WCF staff.

Conclusion:

Based upon the review and analysis of the available evidence, the Auditor has determined that the WCF meets every provision of the standard which addresses policies regarding employee training. No recommendations or corrective action.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- Training Curriculum for Volunteers and Contractors
- PREA Lesson Plan 2020 revision

Interviews with the following:

- Volunteers and contractors who have contact with inmates

Provision (a)

WCF curriculum and training materials were reviewed by the Auditor. The core training materials contain all ten of the elements required for this provision. Each of the elements is covered in detail in the training and have incorporated numbered training elements to facilitate retention of the required elements. The level or complexity of the training will depend on the responsibilities and role of the contractor or volunteer.

The Auditor reviewed documentation indicating that eighty-two contractors and one-hundred, twenty-six volunteers or 100%, have received PREA training in the past twelve months.

The Auditor conducted one interview with contract staff. The contractor recalled having PREA training and recalled the level of training was specific to specific roles or responsibilities in the facility. When the Auditor questioned about knowledge of PREA, it was easily verbalized what PREA was and more importantly, what their role or responsibility was in the event they are confronted with a situation of sexual abuse or sexual harassment.

The Auditor conducted one interview with a volunteer. The volunteer recalled having PREA training and recalled the level of training was specific to specific roles or responsibilities in the facility. When the Auditor questioned about knowledge of PREA, it was easily verbalized what PREA was and more importantly, what their role or responsibility was in the event they are confronted with a situation of sexual abuse or sexual harassment.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 18, B, indicates the IDOC will ensure 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. The level and type of training will be based on the services they provide and level of contact with the inmates. However, all volunteers and contractors shall at a minimum be trained in the following:

1. Zero-tolerance policy
2. How to report sexual abuse or sexual harassment

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 18, B, further states verification of all training provided and the individuals understanding of that training shall be documented by signature and maintained in each respective individual's record.

The Auditor conducted one interview with a contractor. During the interview, the contractors verbally demonstrated to the Auditor a comprehensive and complete understanding of the agency's zero-tolerance policy and how to address any instance when an inmate reports a PREA specific issue.

Provision (c)

As indicated in Provision (b) copies of the acknowledgment page from the PREA training is retained in each volunteer and contractor's file. The Auditor reviewed the sign-in sheets from the PREA training sessions for the past twelve months. Each sign-in sheet reflected acknowledgment signatures from contractors and volunteers for the PREA training they received.

Conclusion:

Based upon the review and analysis of the available evidence, the Auditor has determined that the WCF meets every provision of the standard which addresses policies regarding volunteer and contractor training. No recommendations or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- Purchase Agreement with Language Training Center and the IDOC, for in-person interpretive services, effective 01-08-2021 through 02-01-2023
- Purchase Agreement with Propio LS, LLC and the IDOC, for telephonic interpretive services, effective 01-08-2021 through 02-01-2023
- IDOC, Offender PREA Education Acknowledgement
- IDOC, PREA Orientation: How to File a Grievance to Report Sexual Abuse
- IDOC, Offender PREA Information Brochure
- PREA Posters
- Miscellaneous Training Materials

Observations during on-site review

Interviews with the following:

- Intake Staff
- Random Inmates

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 19-20, C, 1-6, outlines every step of the offender PREA education process.

The WCF orientation material, as well as the PREA Posters were observed during the on-site tour of the facility by the Auditor. The Auditor reviewed written materials in both English and Spanish.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 19, C, indicates during the intake process inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.

During interviews with intake staff, it was confirmed inmates are provided an A&O Handbook upon arrival at WCF. The inmate signs the acknowledgment form which is retained in the inmate file.

Each housing unit has multiple telephones designated for inmate use. Using any of these telephones, an inmate can call a PREA hotline to report an incident of sexual abuse or sexual harassment. The call is free of charge and confidential. This was confirmed by the Auditor on the on-site tour.

Each inmate has a tablet. Using this tablets, an inmate can file an electronic report of incident of sexual abuse or sexual harassment. Usage of the tablet is free of charge and confidential. This was confirmed by the Auditor on the on-site tour.

During the interviews with inmates, all reported receiving written PREA materials, an A&O Handbook and information about the facility's zero-tolerance policy and ways to report.

A review of inmate records was conducted and the signed PREA acknowledgment document was in each one.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 19, C, 2, specifies within seven days of intake, the agency shall provide comprehensive education to

inmates either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and incidents.

Per the PAQ, WCF reported during the past twelve months there were 1,885 inmates whose length of stay at the facility was more than thirty days. The PAQ also reflected all these inmates were provided the PREA information which included their right to be free from sexual abuse, as well as the policies and procedures for reporting. WCF reported 100% of the inmates admitted to their facility in the past twelve months received the mandated information.

Through the interview process, intake staff indicated inmates receive their PREA training immediately upon arrival, prior to their unit assignment. They reported the inmates are not allowed to leave the intake area until they have completed their PREA orientation and submitted to a urinalysis test. Once these two things are completed the inmate will be assigned a housing unit and bed and escorted to their assigned area.

During interviews with inmates, each were asked to briefly outline what they learned during PREA training. Each inmate responded with similar answers. Their answers were generally: zero-tolerance for sexual abuse or harassment, to dial the PREA Hotline or use the tablet to make a report and call the number on the posters around the facility.

Provision (c)

As indicated in Provision (b) 100% of inmates who entered the facility during the past 12-month period received the required PREA training. At the time of PREA implementation, all inmates incarcerated at WCF were required to attend PREA training. Inmates arriving after implementation received their training at intake. This training, at intake, is facilitated through staff going over material and answering any questions the inmate may have. Upon arrival, the inmate is also provided a Handbook and goes through the A&O process. At the end of the A&O process is a question-and-answer period to reinforce retention of the information presented.

The information was documented with verification of the training retained in the Inmate record. A copy of this documented verification was reviewed by the Auditor.

As indicated in Provision (b) the intake staff provide the PREA information immediately upon arrival into the facility. Interviews with intake staff revealed that upon arrival at the facility inmates are given orientation materials, including PREA related materials, before being assigned to a housing unit. This is a requirement for all inmates, whether they are a new intake or a transfer from another facility.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 20, C, 4, requires the agency to provide all inmates accessible educational formats if an inmate has special needs (language barriers, visually impaired, deaf, limited reading skills, or otherwise disabled), not relying on inmates for this service.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 20, C, 6, indicates that in addition to providing such education, the agency shall ensure that key information is continuously and readily available or visible to inmates through posters, handbooks, or other written formats.

The various training elements provided to the inmate population range from PREA documents in both English and Spanish, PREA posters in both English and Spanish, to staff members who are fluent in Spanish. The facility also uses the LanguageLine Solutions when an interpreter is not available.

WCF utilizes Language Training Center as an in-person interpretive services. These services are on-demand 24 hours a day 7 days a week. Anytime a translation service is needed, and the Language Training Center or Propio, Inc is not available, the staff can use Google Translate. Google translate can be accessed via a computer with an attached microphone to address any translation needs for the inmates of the facility. Now, Google Translate supports 103 different languages, and is available 24 hours a day, 7 days a week.

During the interview with the PCM, he was asked the process if an inmate had a disability not covered under the training elements established by the facility. He indicated he would work with the Local Disability Assistance Office to ensure each inmate is able to understand and retain the PREA materials to a comfort level of comprehension.

Provision (e)

As stated in provision (a), a review of fifty inmate records was conducted and the signed acknowledgment document was in every file.

Provision (f)

Using varying formats, the inmate population receives important information in user friendly, comprehensible ways. The

Inmate Handbook is an excellent tool which specifically lays out the prevention of sexual violence, zero-tolerance policy and includes multiple methods inmates can seek assistance regarding sexual violence.

WCF has a variety of PREA posters, in both English and Spanish. These posters are different throughout the facility as not to become easy to overlook. During the on-site, the Auditor observed these posters in every room throughout the facility.

In interviews with inmates, many reported the PCM checked with them formally and informally about PREA issues and practices. Focusing on their welfare and adjustment.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard for inmate education. No recommendations or correction action is required.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- DOJ/OIG PREA Series 1811 Criminal Investigators Special Training for Investigators (Special Agents, Assistant Special Agents in Charge, Special Agents in Charge)
- The Moss Group, PREA Specialized Investigations Training; Investigating Sexual Misconduct in IN DOC Facilities, April 2020

Interviews with the following:

- Investigative Staff

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 20-21, 1-2, indicates that additional training related to investigators roles includes, but is not limited to:

- Interviewing Sexual Abuse Victims
- Proper Use of Miranda and Garrity Warnings
- Conducting Sexual Abuse Investigations, including the collection of evidence in a confinement setting
- Criteria and evidence required to substantiate a case for administrative action
- Criteria and evidence required to substantiate a case for prosecutorial referral

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 21, 3, further dictates that all training must be documented and verified through employee signature and must be retained by the agency.

The DOJ/OIG PREA Series 1811 Criminal Investigators Special Training for Investigators (Special Agents, Assistant Special Agents in Charge, Special Agents in Charge) confirms the investigators have been provided special training per PREA guidelines.

The Moss Group, PREA Specialized Investigations Training; Investigating Sexual Misconduct in IN DOC Facilities, April 2020, further confirms the investigators have been provided special training per PREA guidelines.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 20-21, mandates investigators and other IDOC with PREA related responsibilities to receive additional training related to their roles to include, but not limited to:

- Interviewing Sexual Abuse Victims
- Proper Use of Miranda and Garrity Warnings
- Conducting Sexual Abuse Investigations, including the collection of evidence in a confinement setting
- Criteria and evidence required to substantiate a case for administrative action
- Criteria and evidence required to substantiate a case for prosecutorial referral

The Auditor was allowed to view the US Department of Justice, Bureau of Prisons, NIC training entitled "Sexual Abuse and the Initial Responder." There are currently five chapters provided in this training course:

- Course Introduction

- PREA Investigations
- Working with Victims
- Interviewing Techniques
- Institutional Culture and Investigations

Through a review of training records and an interview with the WCF investigator, the Auditor was able to confirm that all training requirements have been met.

Provision (c)

As outlined previously in Provision (a) & (b) State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 20-21, address this provision.

WCF has eleven investigators who conduct investigations on the complex. The Auditor reviewed completed training records for each of the five WCF OII Investigators.

Provision (d)

The Auditor is not required to audit this provision.

Conclusion:

Based upon the review and analysis of the available evidence, the Auditor has determined that the WCF meets every provision of the standard which addresses policies regarding specialized training: investigations. No recommendations or corrective action.

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="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 509 300">Documentation Reviewed:</p> <ul style="list-style-type: none"> <li data-bbox="336 327 1112 356">WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. <li data-bbox="242 385 1425 445">· State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 <li data-bbox="242 474 1420 504">· Centurion Adult Medical Training, PREA Overview, updated August 2021 Observations during on-site review <p data-bbox="242 533 529 562">Interviews with the following:</p> <ul style="list-style-type: none"> <li data-bbox="242 589 659 618">· Medical and Mental Health Staff <p data-bbox="242 647 371 676">Provision (a)</p> <p data-bbox="242 703 1485 799">State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 21 E, 1, a-d, indicates that all Medical and Mental Health employees, shall receive additional training to include, but is not limited to:</p> <ol style="list-style-type: none"> <li data-bbox="242 828 954 857">a. How to detect and assess signs of sexual abuse and harassment. <li data-bbox="242 887 818 916">b. How to preserve physical evidence of sexual abuse. <li data-bbox="242 945 1193 974">c. How to respond effectively and professionally to victims of sexual abuse and harassment. <li data-bbox="242 1003 1155 1032">d. How and to whom to report allegations or suspicions of sexual abuse and harassment <p data-bbox="242 1061 1335 1090">A review of the provided lesson plan/training materials demonstrate compliance with this training requirement.</p> <p data-bbox="242 1120 1485 1216">Currently there are seventy-five medical and mental health staff assigned to the facility. Through staff interview and review of training documents by the Auditor, it was confirmed each of the assigned staff members have attended the required training and meet all training requirements.</p> <p data-bbox="242 1245 371 1274">Provision (b)</p> <p data-bbox="242 1301 1453 1330">N/A - All medical staff at WCF are prohibited by procedure from performing forensic examination on sexual abuse victims.</p> <p data-bbox="242 1359 371 1388">Provision (c)</p> <p data-bbox="242 1415 1485 1512">As indicated in Provision (a), through staff interview and a review of the training documents by the Auditor, each of the assigned staff members have attended the required training and meet all training requirements. All training documentation is retained in the employee file, as required.</p> <p data-bbox="242 1541 371 1570">Provision (d)</p> <p data-bbox="242 1597 1469 1693">The Auditor reviewed sign-in sheets and training materials that reflect the general PREA training that is mandated for IDOC employees, contractors and volunteers outlined in policy and PREA standards. The sign-in sheets confirm, in addition to specialized training, the contracted and direct hire medical staff received the general PREA training mandated for all IDOC employees.</p> <p data-bbox="242 1722 363 1751">Conclusion:</p> <p data-bbox="242 1778 1422 1874">Based upon the review and analysis of the available evidence, the Auditor has determined that the WCF meets every provision of the standard, which addresses policies regarding specialized training: medical and mental health care. No recommendations or corrective action.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020

Interview with the following:

- Mental Health Staff
- Staff Responsible for Risk Screening
- PREA Compliance Manager (PCM)

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 21-22, VII, A, 1, indicates all inmates are assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 22, VII, A, 2, indicates intake screening ordinarily takes place within 72 hours of arrival at the facility.

Of the inmates interviewed relative to this provision; all recalled being asked questions relative to their concern about sexual abuse and if they felt like they were going to harm themselves. A review of inmate records revealed all twenty inmates had been asked the questions on the day they arrived.

During the on-site audit, the Auditor discussed processes with classification staff. The staff was able to guide the Auditor through the intake screening process, by explaining the process each inmate is required to participate in during the initial screening and ongoing classification processes. The classification staff member described each of the documents and assessments utilized as we proceeded through the processes. The classification staff also clarified each of the questions, providing the Auditor with a clear and thorough understanding of the overall intake and classification process.

Provision (b)

As stated in (a), according to the listed policies all inmates must be screened within 72 hours of arrival.

The Auditor reviewed the PAQ which indicated in the past 12 months, 100% or 1,885 inmates were screened for the risk of sexual victimization or sexual abusiveness within 72 hours of their entry into the facility.

The Auditor reviewed fifty inmate records to ensure they were screened upon arrival. All fifty records had verification that the initial screening had occurred within 72 hours of arrival at WCF.

Of the inmates interviewed; all reported being asked questions specific to previous sexual abuse & harassment within three days of their arrival at the facility. A review of inmate records revealed this to be true.

As stated in (a), the Auditor was able to specifically question classification staff about the required questions. The classification staff were very helpful and replied that all the PREA related questions are asked during initial intake and ongoing classification screenings.

Provision (c)

The Auditor reviewed copies of multiple intake forms and screening assessments from the classification staff. An assessment that provides the intake and classification staff with an independently developed, validated and objective assessment is used for screening assessments, as outline in the following paragraph.

Staff members who conduct intake screenings utilize the Adult SVAT Questionnaire for guidance in conducting an initial assessment of an inmate's risk of victimization and risk of abusiveness. Inmates who surpass the threshold on the screening form are referred to mental health staff for an additional assessment regarding their level of risk, environmental considerations, and treatment needs. The inmate is reassessed within thirty days.

The Auditor was able to verify compliance with this provision through the review of inmate records, reflecting copies of the required assessments.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 22, VII, A, 4, indicates the intake screening shall consider at a minimum the following:

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

Provision (e)

The Auditor reviewed the Adult SVAT and compared the questions with the requirements for Provision (e). All items required for Provision (e) have been included in the screening instrument, which addresses Possible Sexual Predatory Risk Factors.

As stated in (a), the Auditor was able to discuss the screening process with staff, and interview classification staff who were able to walk the Auditor through the intake screening and classification process.

Provision (f)

The Auditor reviewed the PAQ which indicated that within the past 12 months, 100% or 1,885 inmates have been assessed for the risk of victimization or risk of abusiveness of other inmates within 30 days of their entry into the facility

Of the inmates interviewed, all recalled being asked questions relative to this standard. Most indicated they recalled being interviewed within a two or three weeks of arrival. A review of the records revealed this information to be accurate.

Out of the fifty records which were reviewed by the auditor, all contained timely re-assessments. These finished screening documents were completed by different staff, with each instrument being finalized consistent with the standard.

Provision (g)

As stated in (a) the Auditor was able to speak with classification staff who were able to discuss the intake screening and classification process. Classification staff indicated they monitor the inmate population, and reassess when warranted due to a referral, request, incident of sexual abuse or receipt of additional information that may have bearing on the inmate's risk of victimization or abusiveness. Transgender inmates are re-assessed for the reasons listed above and every six months, whichever occurs first.

Provision (h)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 22, VII, A, 8 indicates inmates are not to be disciplined for refusing to respond or electing not to disclose complete information regarding this provision. These policies specifically state if an inmate refuses to respond or elects not to disclose information that applies only to questions about disabilities; Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) status; gender nonconformance; previous sexual victimization; and the inmate's self-perception of vulnerability, he/she may not be disciplined.

Classification staff indicated they do not discipline any inmate for their refusal to answer these questions during an assessment, rather they indicated they would explain the reason behind the question and attempt to solicit a response. However, no disciplinary action would be taken if the inmate chose not to respond.

Provision (i)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 22, VII, A, 9, indicates information related to sexual victimization or abusiveness, including the information entered 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, as well as work, education, and programming assignments.

As stated in (a), the Auditor interviewed classification staff. The classification staff indicated access to the inmate's classification information is secured, with controlled access by classification staff.

The Auditor interviewed the PCM regarding who can specifically access the screening information collected during intake and screenings, and was informed that Medical Staff, Mental Health Staff, Classification Staff and the PCM have access.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard which addresses Screening for Risk of Sexual Victimization and Abusiveness. No recommendations or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-118, Transgender Offenders, effective 5/1/2018
- Inmate Records

Interview with the following:

- Agency PREA Coordinator (APC)
- PREA Compliance Manager (PCM)
- Staff Responsible for Risk Screening
- Random Inmates

Provision (a):

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 25, C, indicates the agency shall use information from the risk screening required by §115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexual victimized from those at high risk of being sexually abusive.

The PCM indicated each assessment completed by staff is factored into the placement and programming of each inmate. He further stated the inmate's risk levels, housing and program assignments are guided with the use of these various assessments ensuring that every inmate, especially those at high risk of being sexually victimized, are separated from those at high risk of being sexually abusive.

Following a review of fifty inmate records, the Auditor was able to verify the information from these assessments was being utilized in the various classification decisions made by staff.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 25, C, 2, indicates the information obtained during the screening process and PREA Mental Health Assessment is used to make individualize and safety-based determinations and assist in the initial classification and institutional assignment of the inmate, as well as determine work, education, and program assignments.

Through the interview process, staff who are responsible for risk screening indicated that because the assessment procedures being utilized, each inmate is individually evaluated. Staff not only use the assessment procedures which are in place, additional consideration is given to the discussions with each individual inmate when making classification and housing decisions.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 25, C, 3, requires that when deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the institution shall consider on a case-by-case basis whether the placement would ensure the inmate's health and safety, and whether the placement would present management or security concerns.

During interviews with staff who are responsible for risk screening, they indicated the transgender or intersex inmates view of their own safety is taken into serious consideration when determining housing placements and programming assignments. In addition, the staff who are responsible for risk screening indicated because of the assessments that are utilized, each inmate is evaluated individually.

The interview notes of the APC, indicated according to IDOC policy, the gender identification of each inmate is initially determined by their sex assignment at birth; however, from that point forward every inmate is individually assessed and classified to ensure the safety of each inmate, as well as the safety of the inmate population.

During the interviews with transgender inmates, each reported they believed the WCF staff had taken their health and safety into consideration when making housing and programming assignments.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 25, C, 4, states that placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.

Through the interview process, the APC, the PCM and intake staff responsible for screening, all indicated transgender or intersex inmate's views of their own safety is given great weight when making decisions regarding housing placement or programming assignments. Each further confirmed regular classification reassessments are conducted a minimum of every six months, or if the inmate is involved in an incident of a sexual nature.

During the interview with transgender inmates, each indicated they were initially reassessed within 30 days of arrival. A review of their inmate records confirmed this. Transgender inmates, who had been in the facility longer than six months, also confirmed they were reassessed every six months.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 25, C, 5, shows that a transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration.

Through the interview process with the APC, the PCM and staff responsible for screening, all specified the transgender or intersex inmate's views of their own safety is given great weight when making decisions regarding housing placement or programming assignments. These inmates are interviewed further to determine enemies and potential or perceived threats. Housing placement and programming assignments are based on this information.

During the interview with transgender inmates, each indicated they believed the WCF staff considered their feelings and perceptions when making decisions regarding their case, programming, housing, etc. (see Provision (c) for details)

Provision (f)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 25, C, 6, reveals transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.

According to the APC, the PCM and the staff responsible for risk screening, each indicated the transgender or intersex inmate's views of their own safety is given serious consideration when providing showering options. In addition, they clarified, transgender or intersex inmates would be able to shower separately from other inmates by utilizing alternate shower times.

During the interview with transgender inmates, they each confirmed, they were allowed to shower privately.

Provision (g)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 25, C, 7, specifies the agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates 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 inmates.

During the interview process with the APC and PCM, both indicated that neither the IDOC or WCF are under any consent decree, legal settlement, or legal judgment requiring the establishment of a dedicated facility, unit, or wing for lesbian, gay, bisexual, transgender, or intersex (LGBTI) inmates. Both indicated that all LGBTI inmates are housed within the general population unless specific issues are present and only then the appropriate staff will meet with the inmate and address the concerns.

During interviews with transgender inmates, each indicated they were housed in general population.

Conclusions:

Based upon the review and analysis of all available evidence, the Auditor has determined the WCF meets every provision of

the standard requiring the use of screening information. No recommendation or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-107, The Use and Operation of Protective Custody, effective 8-1-2018
- IDOC PREA Housing Assignment Review

Interview with the following:

- PREA Compliance Manager (PCM)

Provision (a):

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 27, 1, specifies that inmates at high risk for sexual victimization or those who report sexual victimization shall not be placed in involuntary administrative or punitive segregation unless there has been an assessment of all other available alternatives and a determination made that there are no other alternatives available.

According to the PAQ, during the past twelve months there have been zero inmates placed into involuntary administrative or punitive segregation in accordance with this standard.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 27, 2, indicates that inmates placed into segregated housing as the only means of protecting such an inmate shall have access to all programs, privileges, education, and work opportunities, to the extent possible, and it shall only be until an alternative means of separation from the likely abuser can be arranged, a time period not to ordinarily exceed thirty days. In these cases, the facility shall clearly document the basis for the facility's concerns for the inmate's safety and the reason why no alternative means of separation can be arranged.

The PAQ reflects during the past twelve months there have been zero inmates placed into involuntary administrative or punitive segregation in accordance with this standard. Consequently, no inmates could be interviewed relative to this provision.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 27, 3, states the facility shall assign such inmates to involuntary segregated housing 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.

The PAQ reflects during the past twelve months there have been zero inmates placed into protective custody in accordance with this standard, specific to a period longer than 30 days while awaiting alternative placement. This was confirmed during the interview with the PCM.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 27, 4, indicates if an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, the facility shall clearly document:

1. The basis for the facility's concern for the inmate's safety
2. The reason why no alternative means of separation can be arranged. This was confirmed during the interview with the PCM.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 27, 5, states inmates placed into segregated housing as the only means to protect such an inmate shall be afforded reviews by the facility every thirty days to determine whether there is a need to continue separation from the general population.

The PAQ reflects during the past twelve months there have been zero inmates placed into protective custody in accordance with this standard. This was confirmed during interviews with the PCM.

Conclusions:

Based upon the review and analysis of all available evidence, the Auditor has determined the WCF meets every provision of the standard relative to protective custody. No recommendation or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- IDOC Staff PREA Information Brochure
- IDOC Inmate PREA Information Brochure
- IDOC website www.in.gov/idoc/prea/
- PREA Posters in English and Spanish

Observations during on-site review

Interview with the following:

- PREA Compliance Manager (PCM)
- Random Staff
- Random Inmates

Provision (a):

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 28, 1, specifies that the IDOC shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse or sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Inmates may report sexual abuse or sexual harassment verbally or in writing, third-party or anonymously. Inmates may file a grievance, call the PREA hotline, tell the PCM, or they may tell any staff, contractor or volunteer and expect the information to be reported immediately and thoroughly investigated as indicated in this policy.

All staff interviewed indicated they would accept a report or allegation from the inmate and provide it to their supervisor for further direction. They each also reported inmates can report several different ways which include telling a staff member, calling the PREA hotline posted throughout the facility, or telling a family member. Staff interviewed stated inmates can privately report sexual abuse or sexual harassment on their tablet or through the hotline number.

All inmates interviewed reported that they were aware of multiple ways to report incidents of sexual abuse or sexual harassment. These included using the hotline number, have family member contact the institution, using their tablet, and contacting a staff member. Most indicated they would tell a staff member first.

During the on-site portion of the audit, the Auditor observed numerous different PREA posters in both English and Spanish throughout the facility. These posters were observed in each housing unit, common areas, main hallways, intake holding area, dining room, etc. The Auditor checked numerous inmate telephones throughout the facility, and all were in working order and readily available in each housing unit. Likewise, all the inmate tablets throughout the facility were readily available to each inmate in their respective housing units.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 28, 2, specifies the IDOC shall provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. It goes on to say IDOC does not have inmates detained solely for civil immigration purposes.

The PCM was interviewed regarding the IDOC's process for providing one way for the inmate population to report abuse or harassment to a public or private entity. He indicated the inmates can use the PREA hotline and leave an anonymous message. He further stated that these messages are provided directly to the agency level PREA Coordinator for appropriate follow-up and resolution. The Auditor was able to view spreadsheets, which identify the facility and the issue; however, there

is no indication of who the reporting party is, therefore, maintaining anonymity.

Of the inmates interviewed regarding this provision, all were familiar with the telephone number posted throughout the facility that inmates could call for free. Some inmates voice doubt if it was truly anonymous.

During the on-site tour, each phone that was tested was in working order and could call out to the local PREA Hotline as well as the National Sexual Abuse Hotline. Both provided sufficient time to leave a detailed message to follow-up and never required personal identifying information. Additionally, WCF utilizes Language Training Center is an in-person interpretive service. These services are on-demand 24 hours a day 7 days a week. Anytime a translation service is needed, and the Language Training Center or Propio, Inc is not available, the staff can use Google Translate. Google translate can be accessed via a computer with an attached microphone to address any translation needs for the inmates of the facility. Now, Google Translate supports 103 different languages, and is available 24 hours a day, 7 days a week.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 28, 3, states IDOC employees, including WCF employees, can receive information, including verbal, written, third-party reports or anonymous complaints, concerning inmate sexual abuse, sexual harassment, and custodial sexual misconduct. It goes on to state that the agency shall require all staff to report immediately and according to agency policy any knowledge, suspicion or information regarding sexual abuse, sexual harassment that occurred in the facility, whether it is part of the agency; retaliation against inmates or staff who reports such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident of retaliation.

Of the inmates interviewed regarding this provision, 100% indicated they were aware they can make reports of sexual abuse or sexual harassment in person and in writing.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 28, states staff may report privately to their supervisor or use the IDOC sexual abuse hotline or email on the website. These reports go to the PREA Coordinator.

Through interviews with staff, several methods for staff to privately report sexual abuse of inmates were identified. All staff indicated they may choose to make a private report to their supervisor, the Agency PREA Coordinator, or the PCM.

Conclusions:

Based upon the review and analysis of all available evidence, the Auditor has determined WCF meets every provision of the standard relative to inmate reporting. No recommendation or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-02-301, Offender Grievance Process, effective date 9-1-2020
- PREA Orientation: How to File a Grievance to Report Sexual Abuse Observations during on-site review

Provision (a):

In the PAQ facility reported the agency has an administrative procedure for dealing with inmate grievances regarding sexual abuse and sexual harassment. The PAQ also reflects, WCF had zero grievances for sexual abuse or sexual harassment in the past twelve months.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-02-301, Offender Grievance Process, effective date 9-1-2020, pp. 5-6, outlines the offender grievance process for sexual abuse and sexual harassment.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-02-301, Offender Grievance Process, effective date 9-1-2020, p. 6, and State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 27-28, B, 1 – 5, states the following:

1. The agency shall not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.
2. The agency may apply otherwise applicable time limits on any portion of a grievance that does not allege an incident of sexual abuse.
3. The agency shall not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
4. Nothing in this section shall restrict the agency's ability to defend against an inmate lawsuit on the ground that the applicable state of limitations has expired.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-02-301, Offender Grievance Process, effective date 9-1-2020, p. 6 and State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 29, 6, a-b, states the agency shall ensure:

1. An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint
2. Such grievance is not referred to a staff member who is the subject of the complaint. Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-02-301, Offender Grievance Process, effective date 9-1-2020, pp. 5-6 states the agency shall ensure:

1. The agency shall issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within ninety days of the initial filing of the grievance
2. Computation of the ninety day-time period shall not include time consumed by inmates during the course of an administrative appeal.
3. The agency may claim an extension of time to respond, of up to seventy days if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.

4. At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for replay, including any properly notices extension, the inmate may consider the absence of a response to be a denial at that level.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-02-301, Offender Grievance Process, effective date 9-1-2020, pp. 5-6 and State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 29-30, 9, a-c, states:

1. Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and shall also be permitted to file such requests on behalf of inmates.
2. If a third-party file 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 behalf and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.
3. If the inmate declines to have the request processed on his behalf, the agency shall document the inmate's decision.

Provision (f)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-02-301, Offender Grievance Process, effective date 9-1-2020, p. 5 and State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 30, 10, states:

1. The agency shall establish procedures for the filing of an emergency grievance where an inmate is subject to a substantial risk of imminent sexual abuse.
2. After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the agency 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 hours, and shall issue a final agency decision within five calendar days. The initial response and final agency decision shall document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

Provision (g)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 30, 11, states the agency may discipline an inmate for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the inmate filed the grievance in bad faith.

Conclusions:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding exhaustion of administrative remedies. No recommendations or corrective action is required.

115.53 Inmate access to outside confidential support services

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- PREA Posters

Observations during on-site review

Interviews with the following:

- Inmate who reported sexual abuse
- Random Inmates

Provision (a)

On the PAQ the facility reported it provides 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 numbers) for local, state, or national victim advocate or rape crisis organizations
- Giving inmates mailing addresses and telephone numbers (including toll free numbers) for immigrant service agencies for persons detained solely for civil immigration purposes
- Enable reasonable communication between inmates and these organizations in as confidential a manner as possible.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 30, C, 1, states the facility shall provide 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, and for persons detained solely for immigration purposes, immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.

During the interview process with SANE personnel, it was revealed a victim advocate is made available to be present with the victim before, during and following the examination. Additionally, the advocate conducts follow-up contacts with the victim to ensure aftercare is arranged and firmly in place.

During the tour of the facility, the Auditor observed posters throughout the facility. The posters regularly stated, "You have a right to be free from sexual assault" or "zero- tolerance for sexual abuse or assault". The posters had a victim support telephone number to call. An inmate can also go to any inmate tablet, for free, and confidentially report sexual abuse or assault. The Auditor utilized the telephone number provided and was able to confirm it was functioning for the identified services. Lastly, postings around the facility as well as the A&O Handbook let inmates know they can notify the PCM, or other staff member, of any incident of sexual abuse or harassment.

Provision (b)

On the PAQ the facility reported it tells inmates the extent to which communications will be monitored and the limits of confidentiality due to mandatory reporting laws.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 31, C, 2, states the facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

Provision (c)

On the PAQ the facility reported it does have an agreement with a community service provider and does maintain a copy of the agreement. The Auditor was able to confirm this, through a review of the agreement. The agreement is between WCF

and the Indiana Coalition Against Domestic Violence.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding inmate access to outside confidential support services. No recommendations or corrective action.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 · IDOC website www.idocprea@idoc.in.gov/ <p>Provision (a)</p> <p>On the PAQ, the facility reported there is access to third-party reporting through their agency website.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 31, D, states the agency 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 inmate.</p> <p>The IDOC has provided access to a third-party reporting process through their agency website. On the agency website, the individual wishing to report a PREA related incident can access this through the following link: www.idocprea@idoc.in.gov This link allows for the initiation of a third-party request.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding third-party reporting. No recommendations or corrective action.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020

Interviews with the following:

- Agency PREA Coordinator (APC)
- Facility Head - Warden
- PREA Compliance Manager (PCM)
- Random Staff

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 31, IX, A, 1, specifies the IDOC shall 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; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to any incident or retaliation.

During interviews with staff, 100% were aware of this requirement and were able to explain how they would immediately report an allegation of sexual abuse in a manner compliant with policy. Moreover, each verbalized information received from a victim should remain confidential, with them only notifying staff that needed to know, i.e., their supervisor, medical staff, etc. All staff indicated PREA related allegations and reports go to the PCM, who then notifies the investigative staff.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 32, IX, A, 3, states apart from reporting to designated supervisors or official, staff shall not reveal 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.

During interviews with staff, 100% were aware of this requirement and were able to verbalize how they would immediately report an allegation of sexual abuse. Further, each articulated information received from a victim should remain confidential, with them only notifying staff that needed to know, i.e., their supervisor, medical staff, etc.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 32, IX, A, 4, declares unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.

During interviews with medical and mental health individuals, all were aware of this requirement and were able to verbalize how they would immediately report an allegation of sexual abuse. Further, each verbalized their understanding of the policy as well as their rights and responsibilities. They all articulated their understanding of the obligation to advise the victim (inmate) of the limitations of confidentiality, due to the mandatory reporting law, prior to the initiation of services.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 31, IX, A, 6, mandates that if the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the agency shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

Through the interview process with the Warden and APC, it was revealed they were aware of this requirement and would report any abuse allegations to the appropriate agency, as required by law, as well as the PCM and facility and/or agency

investigators.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 32, IX, A, 7, indicates the facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators.

In interviews with the APC and PCM each confirmed allegations of sexual abuse and sexual harassment are reported to the PCM and I & I investigators.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding staff and agency reporting duties. No recommendations or corrective action.

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="242 271 509 300">Documentation Reviewed:</p> <ul data-bbox="242 327 1406 445" style="list-style-type: none"> <li data-bbox="242 327 1091 356">· WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. <li data-bbox="242 383 1406 445">· State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 <p data-bbox="242 477 528 506">Interviews with the following:</p> <ul data-bbox="242 533 555 674" style="list-style-type: none"> <li data-bbox="242 533 507 562">· Agency Head (AH) <li data-bbox="242 589 555 618">· Facility Head – Warden <li data-bbox="242 645 459 674">· Random Staff <p data-bbox="242 705 368 734">Provision (a)</p> <p data-bbox="242 766 1485 884">State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 33, B, indicates when a staff member 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.</p> <p data-bbox="242 920 1461 1039">Interview notes reflect the AH indicated if he received such information, he would contact the facility where the inmate was housed and if necessary, the inmate could be temporarily transferred while the investigation was completed. If the perpetrator were identified, the perpetrator would be placed in disciplinary segregation pending completion of the investigation.</p> <p data-bbox="242 1075 1469 1167">The Warden indicated he would take immediate action to protect the victim (inmate). The victim might be moved to another area of the facility or to another facility all together, depending on what was needed to protect the victim. He stated the perpetrator, if known, could be placed in segregated housing.</p> <p data-bbox="242 1202 1485 1263">During random staff interviews, staff reported if they received an allegation from an inmate, they would immediately separate the victim and the perpetrator, safeguard the victim, contact their supervisor, and preserve evidence.</p> <p data-bbox="242 1294 363 1323">Conclusion:</p> <p data-bbox="242 1355 1493 1415">Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding agency protection duties. No recommendations or corrective action.</p>

115.63	Reporting to other confinement facilities
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 <p>Interviews with the following:</p> <ul style="list-style-type: none"> · Agency Head or designee (AH) · Facility Head - Warden · Agency PREA Coordinator (APC) · PREA Compliance Manager (PCM) <p>Provision (a)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 33, C, 1, mandates the Warden, upon receiving an allegation that an inmate was sexually abused while confined in another facility, shall notify the lead of the other facility of the alleged abuse.</p> <p>Provision (b)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 33, C, 2, mandates that such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.</p> <p>Provision (c)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 33, C, 3, indicates the agency shall document that it has provided the notification.</p> <p>Provision (d)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 33, C, 4, the facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.</p> <p>A review of interview notes reveal that the AH and the APC confirmed any notification received regarding a PREA incident, whether it be sexual abuse or sexual harassment or sexual misconduct that occurred within any IDOC facility will be investigated in accordance with the guidelines of State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020.</p> <p>The PAQ reflected in the past twelve months there had been zero allegations of sexual abuse WCF received from another facility.</p> <p>The Warden, and PCM both indicated once an allegation of sexual abuse or sexual harassment is received from another agency, it is immediately assigned to an I & I investigator to conduct the investigation.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding reporting to other confinement agencies. No recommendations or corrective action.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020

Interviews with the following:

- Facility Head - Warden
- First Responders

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 33-34, d, a-d, states that upon learning of an allegation that an inmate was sexually abused, the first custody staff member to respond shall be required to:

- a. Separate the alleged victim and abuser
- b. Protect and preserve the crime scene until appropriate steps can be taken to collect evidence
- c. If the abuse occurred with a time period that still allows for the collection of physical evidence, request the alleged victim not take any actions that could destroy evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating
- d. If the abuse occurred with a time period that still allows for the collection of physical evidence, ensure the alleged abuser does not take any actions that could destroy evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating

On the PAQ, WCF indicated they had zero grievances for alleged sexual abuse and harassment in the past 12 months.

The Warden indicated first responder staff have been trained in the PREA process, and frequent training is conducted to ensure competency and compliance.

During interviews, staff, were able to articulate to the Auditor how to respond to a PREA incident. All staff, volunteers and contractors were aware of the mandate to separate the perpetrator from the victim, preserve physical evidence, as well as the area the incident occurred, seek medical aid, as needed, and report the incident.

During the interview process with a first responder, it was indicated training in the PREA process is through annual in-service training, on-the-job training, and staff meetings.

Non-custody staff who were interviewed, all stated they would notify custody staff, separate the victim and the perpetrator, direct the victim and the perpetrator not to do anything to destroy evidence and keep the scene secure until custody staff arrived. They all verbalized the importance of, as well as their understanding of the need for confidentiality in all cases.

In the past 12 months, there were eight allegations where staff were notified within a time period that still allowed for the collection of physical evidence.

In the past 12 months staff were notified eight times, within a time period that still allowed for the collection of physical evidence. There were also eight 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. Eight times in the past twelve months, 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

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 34, D, 3, states that if the first responder is not a custody staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy evidence, and then notify custody staff.

The Auditor's reviewed the PREA training curriculum that all staff, volunteers, and contractors receive, and it identifies whoever received the information first, as a first responder, including staff, volunteers, and contractors. As a first responder these individuals are trained to take steps to isolate and contain the situation, secure the scene, separate the alleged victim from the alleged perpetrator, remove all uninvolved parties, relay any observations to I & I investigators, or the PCM .

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding staff first responder duties. No recommendations or corrective action.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 · Policy WCF 14-10, Sexual Assault Response Team, effective May 1, 2020 Interviews with the following: · Facility Head – Warden <p>Provision (a)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 34, E, indicates the Warden of each facility shall 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 leadership.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 35, gives the responsibilities of the facility SART.</p> <p>The Warden confirmed, during the interview process that the coordinated response has been identified in the policies listed above. He indicated each item breaks down what the various responsibilities are for the respective staff members and positions. Training is provided routinely through annual in-service training, monthly staff meetings and on- the-job training. He further verbalized the staff have access to the Policy WVC 14-10, Sexual Assault Response Team, which gives step-by- step instructions for first responders, and states exactly what the next staff member is required to do, etc.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding coordinated response. No recommendations or corrective action.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 <p>Interviews with the following:</p> <ul style="list-style-type: none"> · Facility Head - Warden <p>Provision (a)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 37, F, states 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 or prohibited from contact with the 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>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding preservation of ability to protect inmates from contact with abusers. No recommendations or corrective action.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- IDOC, PREA Retaliation Monitoring

Interviews with the following:

- Facility Head – Warden
- PREA Compliance Manager (PCM)

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 37, G, 1, indicates the agency shall establish 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, and shall designate which staff member or departments are charged with monitoring retaliation.

According to the PAQ, the PCM at WCF has been identified as the individual who is primarily responsible for monitoring possible retaliation.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 37, G, 2, indicates the agency shall employ multiple protective 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.

During the interview process, the Warden disclosed there are multiple measures used to protect inmates and staff from retaliation. These actions include monitoring if the inmate is being given changes in housing assignments, work assignments or an increase in disciplinary reports. The monitoring of staff includes watching for negative performance reviews or work reassignments.

Provision (c)

According to the PAQ, WCF generally monitors for retaliation for a period of 90 days, unless further monitoring is needed. The PAQ also indicated, WCF did not have any instances of retaliation in the past twelve months.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 37, G, 3, states for at least 90 days following a report of sexual abuse, the agency shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff and shall act promptly to remedy any such retaliation. Items the agency should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The agency shall continue monitoring beyond 90 days if the initial monitoring indicates a continuing need.

The Warden made it clear retaliation is not tolerated at WCF. He emphasizes to staff and inmates that they can report PREA issues without fear of retaliation. He stressed that if retaliation does occur, it is taken very seriously and is always followed by an investigation.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 37, G, 4, dictates in the cases of inmates, such monitoring shall also include periodic status checks. At WCF these periodic status checks are generally conducted by Unit Team Manager, PCM or case worker.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 37, G, 5, indicates if any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation.

Provision (f)

Auditor is not required to audit this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding agency protection against retaliation. No recommendations or corrective action is required.

115.68	<p>Post-allegation protective custody</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-107, The Use and Operation of Protective Custody, effective 8-1-2018 · PREA Housing Assignment Review <p>Interviews with the following:</p> <ul style="list-style-type: none"> · Facility Head – Warden · PREA Compliance Manager (PCM) <p>Provision (a)</p> <p>The PAQ indicates WCF has not used segregated housing in the past twelve months for PREA related allegations. Interviews with the Warden and PCM confirmed this information.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 38, H, specifies that any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of §115.43. for adult facilities.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-107, The Use and Operation of Protective Custody, effective 8-1-2018, p. 1, II, states the admittance of an offender into protective custody shall be based upon the belief that the inmate needs to be protected from other offenders.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding post allegation protective custody. No recommendations or corrective action.</p>
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Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-01-103, Investigations and Intelligence, effective 7-1-2019

Interviews with the following:

- Agency PREA Coordinator (APC)
- Facility Head - Warden
- PREA Compliance Manager (PCM)
- Investigative Staff
- Inmate who reported sexual abuse

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 38, X, A, 1, states IDOC shall conduct its own investigations into allegations of sexual abuse and sexual harassment. Investigations shall be prompt, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-01-103, Investigations and Intelligence, effective 7-1-2019, p. 1, II, states the IDOC will establish an Office of Investigations and Intelligence (OII) that shall be responsible for conducting investigations of alleged misconduct by staff and inmates and assisting in maintaining safety and security in the IDOC facilities. The facility OII shall be responsible to the Warden and the Executive Director to conduct investigations of alleged misconduct by staff and inmates while assisting in maintaining the safety and security of the facility.

At the time of the audit, WCF had eleven investigators who had received specialized training. The auditor reviewed documentation confirming the investigators completed the specialized investigative staff training. OII completes all administrative investigations. Further the OII is responsible for ensuring investigations are undertaken and reports made to the appropriate executive and administrative staff regarding all job-related allegations of misconduct and serious violations of federal, State, and local statutes, as well as IDOC policies and procedures.

During the interview process with investigative staff, it was confirmed investigations begin immediately following notification of the incident. He further reported the same protocols are used regardless of how the incident is reported, whether it is in person, telephonically, third party, by mail or anonymously.

At the time of the audit, the information received regarding the allegations of sexual abuse and sexual harassment indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous 12 months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-in-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution; however, prosecution was declined. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was provided to the victim. All cases had appropriate documentation of the inmate rights, direct and circumstantial evidence, witness statements, proper time frames, effective communication, safety of

the inmate, as well as other mandated guidelines. After reviewing it was determined all guidelines had been met.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 38, X, A, 2, indicates where sexual abuse is alleged, the agency shall use investigators who have received special training in sexual abuse investigations pursuant to §115.34.

OII investigators receive additional training including interviewing techniques for sexual abuse victims, conducting sexual abuse investigations in a confinement setting, investigation and evidence collection for inmate sexual offenses, sexual harassment, and custodial sexual misconduct. This training is documented and was verified by the Auditor through employee electronic signatures on training sheets.

During the interview with investigative staff, it was confirmed he had attended these training sessions. The Auditor reviewed the investigators training records and verified his attendance and participation in all mandated training.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 38, X, A, 3, mandates investigators shall gather and preserve direct and circumstantial evidence, including any available physical evidence 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 (previous unsubstantiated or unfounded complaints and reports may not be used as evidence).

During the interview, the investigative staff indicated all investigations follow practically the same investigative format. The victim is interviewed first, then any witnesses, leaving the perpetrator for last. He stated it varies slightly if it is an alleged sexual harassment rather than an alleged sexual assault or sexual abuse. If it is an alleged sexual assault or sexual abuse incident, he will go to the dedicated SAFE/SANE location where the victim is being seen.

Except in the cases where the SAFE/SANE team collects the evidence, the investigator indicated he collects and secures all evidence. He was trained in evidence collection through the agency's investigator training and NIC training. The Auditor reviewed training records, which confirmed this training.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 38, X, A, 4, specifies that when the quality of evidence appears to support criminal prosecution, the agency shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

During interviews, the investigative staff reported when it appears a crime may have been committed; all questions immediately stop, and the Warden is contacted. The perpetrator is immediately read their Miranda rights and the case, including all evidence, is turned over to the appropriate agency. At this point, OII will only conduct compelled interviews after consultation with the investigating agency or the prosecutors, and a definite determination is made such interviews will not be an obstacle for subsequent criminal prosecution.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 39, X, A, 5, indicates the credibility of an alleged victim, suspect or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. No agency shall require an inmate 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.

The investigative staff reported credibility of anyone involved in the investigation is determined through the investigative process. Everyone is treated as credible and truthful unless the investigation proves otherwise. A polygraph is not used in the investigative process of PREA cases.

Provision (f)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 39, X, A, 6, indicates administrative investigations:

1. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and
2. 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.

Investigative staff reported in administrative investigations the evidence is followed as the investigation unfolds. In following the evidence, he attempts to determine if staff actions or failure to act contributed to the allegation. All findings are summarized in the final investigative report.

At the time of the audit, the information received regarding the allegations of sexual abuse and sexual harassment indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous twelve months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-in-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was provided to the victim.

When reviewing the documentation of the cases the Auditor looked for inmate rights, direct and circumstantial evidence, witness statements, proper time frames, effective communication, safety of the inmate, as well as other mandated guidelines.

The documentation review included the original complaint, the referral for investigation, referrals for mental health and/or medical, and all subsequent available paperwork, including administrative remedy forms and responses where applicable. The allegations were investigated appropriately and timely and a finding was made as indicated previously.

Provision (g)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 39, X, A, 7, indicates 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.

When asked about handling criminal investigations, the investigative staff reported he thoroughly documents all steps of the process, including investigative steps, interviews, facts, and findings, up until the point he determines it is criminal in nature and it is turned over to the appropriate agency.

According to the PAQ, in the past twelve months there have been zero substantiated allegations of conduct that appear to be criminal that were referred for prosecution.

Provision (h)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 39, X, A, 8, mandates that substantiated allegations of conduct that appear to be criminal shall be referred for prosecution.

Per the PAQ, in the past twelve months there have been zero criminal cases prosecuted.

Investigative staff indicated when the case appears to be a violation of Indiana criminal code it shall be referred for prosecution.

Provision (i)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 39, X, A, 9, indicates the agency shall retain all written reports referenced in paragraphs (f) and (g) of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

During the interview, the investigator confirmed that if a principle (victim or abuser) is released or terminated from the agency, it in no way alters the investigation. The investigation continues to its natural end regardless of the employment or residence of the individuals involved.

Provision (k)

Auditor is not required to audit this provision.

Provision (l)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 00-01-103, Investigations and Intelligence, effective 7-1-2019, o, 14, 11, states all investigations are handled by OII. If deemed appropriate, Indiana State Police may assist in an investigation of an act of sexual abuse or sexual harassment reported to facility Investigators. Facility Investigators shall be responsible for coordination of all investigations.

Conclusions:

Based upon the review and analysis of all available evidence, the Auditor has determined the WCF meets every provision of the standard regarding criminal and administrative agency investigations. No recommendation or corrective action.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 <p>Interview with the following:</p> <ul style="list-style-type: none"> · Investigative Staff <p>Provision (a)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 39, B, is clear the agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>The Auditor interviewed investigative staff who relayed that during an investigation, all available evidence is collected (from the victim, from the perpetrator, from the scene; interviews; etc.) and submitted to the Warden and PCM for their review and consideration.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding evidentiary standard for administrative investigations. No recommendations or corrective action.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- Sample Memorandums for PREA File, PREA Allegation, Notification to victim of investigation outcomes, substantiated, unsubstantiated, unfounded
- PREA Compliance Manager Information Tracking Log

Interview with the following:

- Facility Head - Warden
- Investigative Staff

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 39-40, B, 1, specifies following an investigation into an inmate's allegation that he suffered sexual abuse in an agency facility, the agency shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated or unfounded. The PCM provides all information to inmates required under this section.

The investigative staff specified the final step of the investigation process, takes place after all findings have been determined. At the conclusion of any PREA investigation OII submits, through the Warden's office, a close out memorandum to the victim and the perpetrator, notifying each of the conclusion of the investigation and the findings. The Warden was asked a similar question and he echoed the response of the investigative staff.

Additional information received provided an overview of the administrative and criminal cases, including status. At the time of the audit, the information received regarding the allegations of sexual abuse and sexual harassment indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous twelve months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-on-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was assigned.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 40, B, 2, indicates if the agency did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.

According to the PAQ, during the past twelve months there have been no criminal investigations by outside agencies.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 40, B, 3, states following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

1. The employee/staff is no longer posted within the inmate's unit
2. The employee/staff is no longer employed at the facility
3. The employee/staff has been indicted on a charge related to the sexual abuse within the facility

4. The employee/staff has been convicted on a charge related to the sexual abuse within the facility All notifications shall be documented.

As previously stated in provision (a), the victims are notified via memorandum, issued through the Warden's office, from the PCM to the alleged victim.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 40, B, 4, states following an inmate's allegation that he has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever:

1. The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
2. The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

All notifications shall be documented.

As previously stated in provision (a), the victim is notified via memorandum, issued through the Warden's office, from the PCM to the alleged victim.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 40, B, 5, states all such notification or attempted notification shall be documented.

As previously stated in provision (a), the victim is notified via memorandum, issued through the Warden's office, from the PCM to the alleged victim.

At the time of the audit, the information received regarding the allegations of sexual abuse and sexual harassment indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous twelve months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-on-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was assigned.

Provision (f)

The Auditor is not required to audit this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding reporting to inmates. No recommendations or corrective action.

115.76	Disciplinary sanctions for staff
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 · Indiana State Personnel Department (SPD), Discipline Policy Statement, dated August 1, 2012 <p>Interviews with the following</p> <ul style="list-style-type: none"> · Facility Head - Warden · PREA Compliance Manager (PCM) <p>Provision (a)</p> <p>According to the PAQ, during the previous twelve months there had been one any terminations, resignations, or other sanctions against staff for violation of the agency's sexual abuse or sexual harassment or sexual misconduct policies.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 40, XL, A, 1, states staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse and sexual harassment policies.</p> <p>Provision (b)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 41, XL, A, 2, states termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.</p> <p>The Warden confirmed during the previous twelve months there had been one termination, resignation, or other sanctions against staff for violation of the agency's sexual abuse or sexual harassment or sexual misconduct policies.</p> <p>Provision (c)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 41, XL, A, 3, states disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed to comparable offenses by other staff with similar histories.</p> <p>During an interview with the PCM, she confirmed during the previous twelve months there was one termination, resignation, or other sanctions against staff for violation of the agency's sexual abuse or sexual harassment or sexual misconduct policies.</p> <p>Provision (d)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 41, XL, A, 4, states 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, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</p> <p>The Warden confirmed during the previous twelve months there had been one termination, resignation, or other sanctions against staff for violation of the agency's sexual abuse or sexual harassment or sexual misconduct policies.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding disciplinary sanctions for staff. No recommendations or corrective action.</p>

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 <p>Interview with the following</p> <ul style="list-style-type: none"> · Facility Head - Warden <p>Provision (a)</p> <p>The PAQ indicates there have been no reports of sexual abuse by contractors or volunteers at WCF, during the past twelve months.</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 41, B, 1, indicates any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.</p> <p>Provision (b)</p> <p>State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 41, B, 2, indicates the facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p>During an interview with the Warden, he disclosed that when an issue is brought to his attention, he immediately refers the matter to OII for follow-up. During this time, the contractor or volunteer is not allowed access to the facility pending investigation and review of the matter.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding corrective action for contractors and volunteers. No recommendations or corrective action.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-04-101, The Disciplinary Code for Adult Offenders, effective 3-1-2020
- IDOC, Adult Disciplinary Process, Appendix I: Offenses, dated March 1, 2020

Interview with the following

- Facility Head - Warden
- Medical Staff

Provision (a)

The PAQ reflects in the past twelve months there have been nine administrative or criminal findings of inmate-on-inmate sexual abuse at the facility.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 41, C, 1, states inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmates engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

At the time of the audit, the information received regarding the allegations of sexual abuse and sexual harassment indicated there were eighteen total sexual abuse and sexual harassment allegations received during the previous twelve months. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-in-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was provided to the victim.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 41-42, C, 2, states sanctions shall be commensurate with the nature and circumstance of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.

Through the interview process, the Warden indicated inmate discipline is based on the level of the violation and penalties are imposed comparable to other inmate's penalties. Penalties might include change of housing assignment, loss of good time credit, and possible prosecution, when appropriate.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 42, C, 3, indicates the disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his behavior when determining what type of sanction, if any, should be imposed.

During the interview process, the Warden confirmed if the inmate has a mental health history, mental health staff will be

involved to assist in determining appropriate sanctions.

Provision (d)

The PAQ indicates WCF does offer therapeutic services and interventions to inmates.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 42, C, 4, indicates if the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for abuse, the facility shall consider whether to require the offending inmate to participate in such intervention as a condition of access to programming or other benefits.

During interviews with medical staff, the Auditor was informed that medical staff can make recommendations for referrals for inmates for therapy, counseling, or other interventions to address underlying issues related to abuse. The inmate's issues would be addressed during regular counseling sessions or group counseling sessions. Participation in interventions is not a condition for access to other programming or benefits.

Provision (e)

The PAQ reflects WCF only disciplines inmates for sexual contact with staff when it is determined the staff member did not consent.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 42, C, 5, states the agency may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

Provision (f)

The PAQ reflects WCF prohibits disciplinary action for a report of sexual abuse made in good faith.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 42, C, 6, states for the purpose of disciplinary action, a report of sexual abuse made in good faith 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.

During the interview process, the Auditor learned in the past twelve months there had not been any disciplinary action taken against any inmates for a report of sexual abuse made in good faith.

Provision (g)

The PAQ indicates WCF prohibits all sexual activity between inmates. Further, it states WCF only considers sexual activity between inmates to be sexual abuse if it is coerced.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 42, C, 7, indicates that an agency may, in its discretion, prohibit all sexual activity between inmates and may discipline inmates for such activity. An agency may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding disciplinary sanctions for inmates. No recommendations or corrective action.

115.81

Medical and mental health screenings; history of sexual abuse

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- IDOC Form 46325, Staff Referral For Medical Services, revised 2/19 Observations during on-site review

Interview with the following

- Warden
- PREA Compliance Manager
- Medical Staff

Provision (a)

The PAQ reflects in the past twelve months, WCF referred 100% of inmates who disclosed prior victimization during screening were offered a follow-up meeting with a medical or mental health professional.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, pp. 42-43, XII, A, 1, states 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, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

The Auditor interviewed staff who conduct the intake screenings. These staff confirmed inmates are offered a follow-up meeting with a mental health professional, within 14- days of intake, if the intake screening indicates the inmate is at high risk for possible victimization, aggressiveness or has a history of victimization.

During the documentation review, the Auditor discovered all mental health referrals, because of disclosure during intake, were timely made. All referrals were evaluated within the appropriate time frame. Referrals were made on the IDOC Form 46325, Staff Referral For Medical Services, revised 2/19.

Provision (b)

The PAQ reflects in the past twelve months, WCF referred 100% of inmates who disclosed previously perpetrated sexual abuse during screening were offered a follow-up meeting with a medical or mental health professional. As stated in Provision (a), all referrals and evaluations were made timely.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 43, XII, A, 2, states 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, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

Provision (c)

WCF is not a jail.

Provision (d)

The PAQ indicates WCF strictly limits information obtained in intake screening relating to sexual abuse to those who need to make management, security, or treatment plan decisions.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 43, XII, A, 3, indicates that any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, or as otherwise required by Federal, State, or local law.

During the interview process, the Warden indicated most information related to sexual victimization or abusiveness that

occurred in the institution setting is strictly limited to medical and mental health professions, some tracking information and/or safeguarding information may be seen by custody and non-health care personnel.

The Auditor interviewed staff who conduct the intake screenings and was informed that all medical and mental health records are contained in a separate and secure database. This database is accessed only through medical or mental health staff, and information is only provided to classification and high-level staff on a need-to-know basis.

Provision (e)

The PAQ indicates WCF medical and mental health professionals obtain informed consent prior to reporting information about prior sexual victimization that did not occur in an institutional setting unless the inmate is under the age of 18.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 43, XII, A, 4, states medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institution setting, unless the inmate is under the age of 18.

The Warden indicated there have been no instances of a medical or mental health practitioner reporting information about prior sexual victimization that did not occur in an institutional setting. If an instance should occur that involved the need to report such information, informed consent would be obtained prior to the disclosure of that, unless the inmate is under the age of 18.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding medical and mental health screenings, history of sexual abuse. No recommendations or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020
- IDOC, Health Services Division, Sexual Assault Manual, dated January 1, 2018 Interview with the following
 - Medical Staff
 - First Responders
 - SAFE/SANE

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 43, XII, B, 1, states inmate 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.

All forensic medical exams are conducted at St. Franciscan Hospital in Michigan City, IN. Through the interview process it was revealed the SANE exam includes a forensic exam, prophylaxis for pregnancy and sexually transmitted diseases, photographic documentation, referrals for appropriate medical and psychological follow-up, as well as support and participation in legal proceedings. An advocate is provided for medical accompaniment for all SANE examinations. SANE personnel confirmed the forensic exams are free to the inmate. All WCF inmates are transported to the hospital for forensic exams.

Through the interview process, medical and mental health staff reported treatment is provided immediately and is based on their professional judgment. Medical and mental health staff work together to ensure the inmate received the appropriate treatment. Information about and access to emergency contraception and sexually transmitted diseases prophylaxis, is offered in accordance with professionally accepted standards of care and where medically appropriate.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 43, XII, B, 2, states if no qualified medical or mental health practitioners are on duty at the time a report of sexual abuse is made, custody staff first responders shall take preliminary steps to protect the victim pursuant to §115.62 and shall immediately notify the appropriate medical and mental health practitioners.

Interviews with first responders revealed notification is made via the telephone to the medical staff who are on duty when they are informed of an incident of sexual abuse. The inmate is then transferred to a local hospital for a Sexual Assault Response Team (SART) exam by a SAFE/SANE practitioner.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 43, XII, B, 3, states inmate 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, when medical appropriate.

As previously cited in Provision (a) Medical and Mental Health staff interviewed by the Auditor reported treatment is provided immediately and is based on their professional judgment. Medical and mental health staff work together to ensure the inmate received the appropriate treatment. Information about and access to emergency contraception and sexually transmitted diseases prophylaxis, is offered in accordance with professionally accepted standards of care and where medically appropriate.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention,

effective 4/1/2020, p. 43, XII, B, 4, states 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.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding access to emergency medical and mental health services. No recommendations or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020

Interview with the following:

- Medical and Mental Health Staff
- PREA Compliance Manager (PCM)

Provision (a)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XII, C, 1, indicates the facility shall offer medical and mental health evaluations and, as appropriate treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.

All forensic medical exams are conducted at St. Franciscan Hospital in Michigan City, IN. Through the interview process it was revealed the SANE exam includes a forensic exam, prophylaxis for pregnancy and sexually transmitted diseases, photographic documentation, referrals for appropriate medical and psychological follow-up, as well as support and participation in legal proceedings. An advocate is provided for medical accompaniment for all SANE examinations. SANE personnel confirmed the forensic exams are free to the inmate. All WCF inmates are transported to the hospital for forensic exams.

The Auditor reviewed records produced by the facility documenting the community standard of care, the evidence of sexually transmitted infection testing, prophylaxis treatment, psychiatry and psychology services, crisis intervention. These services are free of charge to inmates regardless of whether the abuser is named or whether the inmate cooperates with an investigation.

Medical and mental health staff interviewed reported treatment is provided immediately and is based on their professional judgment. Medical and mental health staff work together to ensure the inmate receives the appropriate treatment. Information about and access to emergency contraception and sexually transmitted diseases prophylaxis, is offered in accordance with professionally accepted standards of care and where medically appropriate.

In interviews with the PCM, as well as medical staff indicated eight inmates were referred for Sexual Assault Response Team (SART) examinations by SAFE/SANE practitioners in the previous twelve months.

Provision (b)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XII, C, 2, states the evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referral for continued care following their transfer to, or placement in, other facilities, or their release from custody.

Documentation and records review supported attentiveness to follow-up services and treatment plans. The files demonstrated detailed and professional notes on the evaluations conducted by Medical and mental health staff and their follow-up appointments with inmates. Follow-up consisted of routine inmate visits with medical and mental health staff.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XII, C, 3, indicates the facility shall provide such victims with medical and mental health service consistent with the community level of care.

Interviews with Medical and Mental Health staff support compliance in the area of evaluation, follow-up, treatment plans and referral services. The statement of medical and mental health staff reflects an in-depth understanding of the importance of appropriate evaluation, follow-up, treatment planning and service referral.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XII, C, 4, mandates inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.

WCF is an all-male facility.

As previously stated in Provision (a), eight inmates were referred for Sexual Assault Response Team (SART) examinations by SAFE/SANE practitioners in the previous twelve months.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XII, C, 5, mandates if pregnancy results from the conduct described in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services.

WCF is an all-male facility.

Provision (f)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XII, C, 6, dictates inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.

As previously stated in Provision (a), eight inmates were referred for Sexual Assault Response Team (SART) examinations by SAFE/SANE practitioners in the previous twelve months.

Provision (g)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XII, C, 7, states treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperated with any investigation arising out of the incident.

During the interview process it was confirmed all treatment services are provided to alleged victims without financial cost, regardless of whether the victim names the abuser or cooperated with any investigation arising out of the incident.

Provision (h)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XII, C, 8, indicates all facilities shall 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.

There was no documentation of grievances to review.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding ongoing medical and mental health care for sexual abuse victims. No recommendations or corrective action.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documentation Reviewed:

- WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided.
- State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020

Interviews with the following

- Facility Head - Warden
- PREA Compliance Manager (PCM)
- Incident Review Team (IRT)

Provision (a)

The PAQ reflects in the past twelve months there have been eighteen criminal and/or administrative investigations of alleged sexual abuse completed at the facility.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XIII, A, 1, states the facility shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including when allegations have not been substantiated, unless the allegation has been determined to be unfounded.

Provision (b)

The PAQ reflects in the past twelve months there have been eighteen criminal and/or administrative abuse incident reviews completed at the facility. Abuse incident reviews have been completed on all closed sexual abuse cases during the past twelve months.

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 44, XIII, A, 2, indicates such a review will ordinarily occur within thirty days of the conclusion of the investigation.

The PCM confirmed during the past twelve months there have been a total of eighteen cases. Ten were inmate-on-inmate allegations. Of those ten inmate-on-inmate allegations, one was for sexual harassment and nine were for sexual abuse. The inmate-on-inmate sexual harassment allegation, after investigation, was deemed unsubstantiated. Of the nine inmate-in-inmate sexual abuse allegations, after investigation, one was deemed substantiated and the remaining eight were deemed unsubstantiated. The eight remaining allegations were staff-on-inmate sexual abuse allegations. After investigation, one was deemed substantiated, two were deemed unfounded and the remainder were deemed unsubstantiated.

All staff-on-inmate allegations were referred for review for possible criminal prosecution, but prosecution was declined. All were handled administratively, and no criminal charges were filed. Ninety-day retaliation monitoring was implemented in all appropriate cases. All inmates were timely notified of the investigation determination. A sexual abuse incident review was conducted on all closed sexual abuse cases. In the past 12 months there were eight SAFE/SANE examinations. In each case a victim advocate was provided to the victim.

Provision (c)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 45, XIII, A, 3, states the review team shall include upper management officials, with input from line supervisor, investigators and medical or mental health practitioners.

The multidisciplinary incident review team consists of intermediate or higher-level facility managers, supervisors, investigators, as well as medical and mental health practitioners.

The Warden voiced his understanding and agreement of the composition of the review team and his willingness to consider and incorporate recommendations from team members.

Provision (d)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 45, XIII, A, 4 stated the review team shall:

1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse
2. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; LGBTQI identification status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamic at the facility
3. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse
4. Assess the adequacy of staffing levels in that area during the different shifts
5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
6. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d) (1) through (d)(5) of this section, and any recommendations for improvement and submit such report to the Facility Head and PREA Compliance Manager.

Members of the IRT were interviewed. Each team member reported the team considers all criteria listed above, as required by PREA policy.

Provision (e)

State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020, p. 45, XIII, A, 4, g, states the facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.

Conclusion

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding sexual abuse incident reviews. No recommendations or corrective action.

115.87	Data collection
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

115.88	Data review for corrective action
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

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

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Documentation Reviewed:</p> <ul style="list-style-type: none"> · WCF Pre-Audit Questionnaire (PAQ) and supporting documentation provided. · State of Indiana, Indiana Department of Corrections (IDOC), Policy and Procedure, 02-01-115, Sexual Abuse Prevention, effective 4/1/2020 · IDOC publicly accessible website www.in.gov/idoc/prea/ <p>Interview with the following</p> <ul style="list-style-type: none"> · Agency Head or designee (AH) · Agency PREA Coordinator (APC) <p>Provision (a)</p> <p>The AH reported each facility within the IDOC had been audited within the previous three-year audit cycle. Copies of all audit reports are on the IDOC website for public information and review. The webpage provides the most recent annual report relative to sexual abuse data from the various facilities in accordance with PREA standards. Data can be accessed at www.in.gov/idoc/prea/</p> <p>Provision (b)</p> <p>During an interview with the PCM, the Auditor learned the audit for WCF is in the third year of the three-year audit cycle. IDOC webpage provides the most recent report relative to sexual abuse data from the various facilities in accordance with PREA standards.</p> <p>Provision (c)</p> <p>N/A</p> <p>Provision (d)</p> <p>N/A</p> <p>Provision (e)</p> <p>N/A</p> <p>Provision (f)</p> <p>N/A</p> <p>Provision (g)</p> <p>N/A</p> <p>Provision (h)</p> <p>During the on-site portion of the audit, the Auditor had complete, unimpeded access to every area of the facility. Throughout the on-site portion of the audit the PCM and other staff were available to accompany the auditor and give her complete access to any part of the facility she requested to see.</p> <p>Provision (i)</p> <p>At all times throughout the audit process, IDOC and WCF provided the Auditor with all requested information in a timely and complete manner.</p> <p>Provision (j)</p> <p>N/A</p> <p>Provision (k)</p>

N/A

Provision (l)

N/A

Provision (m)

At all times throughout the audit process, IDOC and WCF provided the Auditor with a private space to conduct interviews.

Provision (n)

During inmate interviews, all inmates reported they were provided the opportunity to send out confidential mail or correspondence to the Auditor in the same manner as if they were communicating with legal counsel.

Provision (o)

N/A

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined the WCF meets every provision of the standard regarding frequency and scope of audits. No recommendations or corrective action.

115.403	Audit contents and findings
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

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 (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.)	yes
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

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

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

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

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

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	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).)	yes

115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
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.)	yes
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	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
115.401 (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