

PREA Facility Audit Report: Final

Name of Facility: Cherokee County Jail

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 05/22/2023

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: Karen d. Murray	Date of Signature: 05/22/ 2023

AUDITOR INFORMATION	
Auditor name:	Murray, Karen
Email:	kdmconsults1@gmail.com
Start Date of On-Site Audit:	05/02/2023
End Date of On-Site Audit:	05/02/2023

FACILITY INFORMATION	
Facility name:	Cherokee County Jail
Facility physical address:	915 East Country Road, Columbus, Kansas - 66725
Facility mailing address:	915 E Country Rd, Columbus, Kansas - 66725

Primary Contact	
Name:	Michelle L Tippie
Email Address:	mtippie@cksoks.org
Telephone Number:	6204293992

Warden/Jail Administrator/Sheriff/Director	
Name:	David Groves
Email Address:	dgroves@cksoks.org
Telephone Number:	620-429-3992

Facility PREA Compliance Manager	
Name:	Michelle Tippie
Email Address:	mtippie@cksoks.org
Telephone Number:	O: 6202022622

Facility Characteristics	
Designed facility capacity:	106
Current population of facility:	59
Average daily population for the past 12 months:	88
Has the facility been over capacity at any point in the past 12 months?	Yes
Which population(s) does the facility hold?	Both females and males
Age range of population:	18-100
Facility security levels/inmate custody levels:	Minimum, Medium, Maximum
Does the facility hold youthful inmates?	No

Number of staff currently employed at the facility who may have contact with inmates:	22
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	13
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	18

AGENCY INFORMATION	
Name of agency:	Cherokee County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	915 East Country Road, P.O. Box 479, Columbus, Kansas - 66725
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
Name:	Naomi Curtis	Email Address:	naomidawn74@gmail.com

Facility AUDIT FINDINGS
Summary of Audit Findings
The OAS automatically populates the number and list of Standards exceeded, the number of

Standards met, and the number and list of Standards not met.

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

Number of standards exceeded:

2

- 115.17 - Hiring and promotion decisions
- 115.32 - Volunteer and contractor training

Number of standards met:

43

Number of standards not met:

0

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2023-05-02
2. End date of the onsite portion of the audit:	2023-05-02

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
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a. Identify the community-based organization(s) or victim advocates with whom you communicated:

On 5.6.2023 at 9:53 am this Auditor phoned Spring River Mental Health and Wellness facility at 620.429.1860 and received an afterhours message stating the facility is open Monday and Tuesday 8:00 - 5:00, Wednesday 8:00 - 6:00, and Thursday and Friday 8:00 - 5:00. If the call was an emergency to dial 1.866.634.2301. Due to the Auditor's call not being an emergency, the emergency line was not dialed. On 5.8.2023 at 1:25 pm, this Auditor again phoned the Spring River Mental Health and Wellness facility. After proper introductions and the reason for calling the call was transferred to a supervisor who affirmed the afterhours phone number was to be used if an inmate was sexually abused and requested emotional support services during a forensic exam and to schedule follow up appointments at the Cherokee County Jail.

On 4.8.2023 at 8:36 am, this Auditor sent the following email to

www.cherokeecountysheriff.com.

My name is Karen Murray and I am preparing to audit the Cherokee County Jail in accordance with Prison Rape Elimination Act standards. This email is an attempt at a third party report. Could you please respond and state how the facility responds to third party reports via this website?

Thank you in advance for your time.

The NIXLE website instantly responded with "Agency members may have follow-up questions for you after your tip has been submitted. To follow-up on this tip anonymously, log in to local.nixle.com/tip/follow-up/ later using the passcode found below. All communications with the agency will remain anonymous." A passcode of 435404417 was provided.

On 4.10.2023 at 7:45 am the following message was received.

Good morning - I received your inquiry on third party PREA reports. If our agency receives such a report through the website, I would forward it to our Jail Administrator, the PREA Compliance Officer and an investigator

for follow-up / investigation.
 Please let me know if you have any additional questions or if I can be of further assistance.
 Thanks,
 Sheriff David M. Groves
 Cherokee County Sheriff's Office

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	106
15. Average daily population for the past 12 months:	88
16. Number of inmate/resident/detainee housing units:	8
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input 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:	59
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:	8

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:	2
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	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:	0
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:	2
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:	0
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	1

<p>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:</p>	<p>11</p>
<p>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:</p>	<p>0</p>
<p>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):</p>	<p>No text provided.</p>
<p>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</p>	
<p>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:</p>	<p>22</p>
<p>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:</p>	<p>18</p>
<p>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:</p>	<p>3</p>
<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>No text provided.</p>

INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:

8

54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)

- Age
- Race
- Ethnicity (e.g., Hispanic, Non-Hispanic)
- Length of time in the facility
- Housing assignment
- Gender
- Other
- None

55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?

The facility provided an inmate roster by housing unit and gender. Random inmate names were chosen by housing unit and gender once targeted inmates were chosen. All inmates interviewed were randomly selected by the Auditor.

56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?

- Yes
- No

57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):

No text provided.

Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	8
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	1
61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	2
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:	0

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input 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>After the tour, informal and formal interviews with inmates and staff members and inmate file review, this category of inmate did not appear to be in the facility during the onsite review.</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>1</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>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>After the tour, informal and formal interviews with inmates and staff members and inmate file review, this category of inmate did not appear to be in the facility during the onsite review.</p>

<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>2</p>
<p>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>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>After the tour, informal and formal interviews with inmates and staff members and inmate file review, this category of inmate did not appear to be in the facility during the onsite review.</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>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>After the tour, informal and formal interviews with inmates and staff members and inmate file and investigation review, this category of inmate did not appear to be in the facility during the onsite review.</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>2</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>After the tour, informal and formal interviews with inmates and staff members and inmate file review, this category of inmate did not appear to be in the facility during the onsite review.</p>

70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	No text provided.
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Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

71. Enter the total number of RANDOM STAFF who were interviewed:	12
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72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
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73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
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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):	9
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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)

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

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

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

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

84. Did you have access to all areas of the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Was the site review an active, inquiring process that included the following:	
85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
88. Informal conversations with staff during the site review (encouraged, not required)?	<input type="radio"/> Yes <input checked="" type="radio"/> No

<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>All correctional staff, on each shift were formally interviewed.</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 <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>No text provided.</p>
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SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

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

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	7	0	7	0
Staff-on-inmate sexual harassment	2	0	2	0
Total	9	0	9	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

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

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	2	4	1
Staff-on-inmate sexual harassment	0	1	1	0
Total	0	3	5	1

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:	0
a. Explain why you were unable to review any sexual abuse investigation files:	The facility did not have any sexual abuse allegations in the past 12 months.

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

<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>9</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>7</p>
<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>

Staff-on-inmate sexual harassment investigation files	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	2
112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT 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 harassment investigation files)
113. Did your sample of STAFF-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 staff-on-inmate sexual harassment investigation files)
114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.	No text provided.
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.	<input type="radio"/> Yes <input checked="" type="radio"/> No

Non-certified Support Staff

116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.

Yes

No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

The audited facility or its parent agency

My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)

A third-party auditing entity (e.g., accreditation body, consulting firm)

Other

Standards	
Auditor Overall Determination Definitions	
<ul style="list-style-type: none"> • 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	
<p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>	

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff’s Office Policy CKJ 315 PREA, dated 7.1.2013 3. Chain of Command, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. Correction Officers

4. Sergeant / PREA Coordinator
5. Jail Commander / PREA Compliance Manager
6. Sheriff

Interviews with inmates and staff and review of inmate and personnel files, demonstrated this facility interweaves requirements for this standard in their daily protocols. Both inmates and staff could speak to facility PREA practices and protocols being used as is described in the facility PREA Policies.

Site Review Observation:

During the tour of the facility, the Auditor witnessed standardized bulletin boards in each of the seven pods, medical and booking areas consisting of current agency and facility postings containing information regarding the facility Sexual Abuse and Sexual Harassment Brochures, Step Out of the Shadow Reporting postings in English and Spanish and Audit Notices printed on pink and purple colored paper.

The facility has seven pods, five of the pods being two tiered, providing double bunk cells with toilets and individual showers and day rooms on the bottom tier. Cameras are placed in each tier to provide coverage of areas outside of inmate cells with no apparent blind spots. The facility has two pods for work release where toileting areas are open to inmates in the pod. A recommendations was provided to the facility to construct a barrier to provide privacy for inmates while toileting. The facility provided a shower curtain barrier to provide for privacy. Each of the segregation and medical cells have toileting facilities and are under camera view for observation. Each of the cameras have a black box on the camera screen to block out inmates while toileting. Due to an inmate throwing objects at a camera in a segregation room, the camera had moved causing the view of the toilet to be viewed. A recommendation was requested to move the camera back to the original location. The Jail Commander expressed the technology provider had previously been contacted to correct the issue.

During the tour and multiple informal interviews conducted with inmates demonstrated each were aware of PREA, how to report, feeling safe in the facility. Inmates made comments about staff stating, "staff here are nice. They do a good job and make sure we are safe and comfortable. Staff read me all of the PREA information and described PREA well. I love the PREA ladies, they are always on it." Each inmate interviewed was asked if they were felt sexually safe in the facility and all stated they felt safe.

During the onsite review all security staff on both shifts were interviewed and interviews demonstrated PREA is talked about on at least a bi-weekly basis and the significance the facility places on ensuring inmate safety is vital.

The facility tour demonstrated cameras are placed throughout with no blind spots and adequate staff exhibiting ongoing interactive supervision.

(a) The Cherokee County Jail PAQ states the agency Safe Prisons/PREA Plan mandates zero-tolerance toward all forms of sexual abuse and sexual harassment in the facility it operates and those directly under contract.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 1, section Policy, states, "The Cherokee County Sheriff's Office is committed to the safety of any individual confined within its Jail facility. The Cherokee County Sheriff's Office has a Zero-Tolerance standard for sexual abuse involving inmate-on inmate behaviors and staff-on inmate behaviors. Inmates in the custody of the Jail are never regarded as being able to consent to any kind of relationship. No matter who initiates the contact or how "consensual" the relationship is, it is considered a rule violation by inmates and an abuse of power by staff. The Jail will respond to all reports of sexualized behavior or abuse as nonconsensual, regardless of perception, rumor, appearance, or participant disclosure."

(b) The Cherokee County Jail PAQ states the agency employs or designates an upper-level, agency-wide PREA Coordinator. The position of the PREA Coordinator in the agency's organizational structure.

The facility provided a Chain of Command organizational chart. The document demonstrates the PREA Coordinator reports directly to the Jail Administrator.

(c) The Cherokee County Jail PAQ states the facility has designated a PREA Compliance manager. The PREA Compliance Manager has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards. The facility is standalone where the Jail Administrator is responsible for all PREA implementation.

Through such reviews, the facility meets the standard requirements.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> Cherokee County Jail PAQ <p>Interviews:</p> <ol style="list-style-type: none"> Jail Administrator / PREA Compliance Manager <p>During the pre-audit phase, the Jail Administrator / PREA Compliance Manager conveyed the agency did not have privatized contracts.</p> <p>(a-b) The Cherokee County Jail PAQ states the agency does not contract with private agencies for confinement services of their inmates.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> Cherokee County Jail PAQ Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013 Cherokee County Sheriff's Office Annual Review of Jail and Staffing Plan, dated 11.29.2022 Cherokee County Sheriff's Office - PREA Report, dated 2022 Cherokee County Sheriff's Office Policy CKJ 402 Security Inspections, dated 4.16.2021 Cherokee County Sheriff's Office Facility Activity Report, dated 4.17.2023

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Correction Officers
4. Sergeant / PREA Coordinator
5. Jail Commander / PREA Compliance Manager

Interviews with inmates demonstrated supervisory staff are often seen and made available to them.

The interview with the Sergeant / PREA Coordinator demonstrated supervisory unannounced rounds were completed electronically each day and she had those rounds printed for the month of April 2023.

The interview with the Jail Commander / PREA Compliance Manager during the pre-audit phase demonstrated all facility staff conducted unannounced rounds. During discussion supervisory unannounced rounds were implemented in addition to staff unannounced rounds.

Site review observation:

During the tour the Sergeant / PREA Coordinator demonstrated supervisory unannounced rounds were documented daily for the month of April as is described above in the interview narrative.

(a) The Cherokee County Jail PAQ states the agency requires the facility to develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against abuse. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of inmates is 79. The average daily number of inmates on which the staffing plan was predicated is 79.

The facility provided a Cherokee County sheriff's Office Annual Review of Jail and Staffing Plan. The plan includes the following components.

- Supervision and Monitoring

- Generally accepted detention and correctional practices
- Any Judicial findings of inadequacy - which there were none
- Any finding of inadequacy from Federal investigative agencies - which there were none
- Any findings of inadequacy from internal or external oversight bodies - which there were none
- All components of the facility's physical plan
- The composition of the inmate population
- The number and placement of supervisory staff
- Institution programs occurring on a particular shift
- Any applicable State or local laws, regulation, or standards - which there are none
- The prevalence of substantiated and unsubstantiated incidents of sexual abuse
- Any other relevant factors

(b) The Cherokee County Jail PAQ states each time the staffing plan is not complied with, the facility documents and justifies deviations. The facility did not have deviations from the required ratios of their staffing plan.

(c) The Cherokee County Jail PAQ states at least once every year the facility/ agency, in collaboration with the PREA coordinator, reviews the staffing plan to whether adjustments are needed in (a) the staffing, (b) the deployment of monitoring technology, or (c) the allocation of agency/facility resources to commit to the staffing plan to ensure compliance with the staffing plan.

The facility provided a Cherokee County Sheriff's Office - PREA Report. The report demonstrates review of the following areas.

- Data review for correction action
 - o Identifying problem areas
 - o Taking corrective action on an ongoing basis
 - o Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole

(d) The Cherokee County Jail PAQ states facility requires that intermediate level or higher-level staff conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment.

Cherokee County Sheriff’s Office Policy CKJ 402 Security Inspections, page 3, section Unannounced Inspections 1-2, state, “The Cherokee County Sheriff’s Office shall have an intermediate-level or higher-level supervisor conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment.

1. Each Shift Supervisor is required to conduct unannounced safety / security inspections at a minimum of once per shift.
2. The Jail Administrator and/or designee along with an alternating Supervisor within the Sheriff’s Office will conduct an unannounced safety / security inspection on a quarterly basis. The Jail Administrator or a Supervisor within the Corrections division will conduct a monthly inspection of the facility and complete inspection paperwork. The inspections shall be conducted at alternating times to insure that each shift is inspected.”

The facility provided Cherokee County Sheriff’s Office Facility Activity Report demonstrating the facility is documenting Unannounced Supervisor Watch Tours. During the pre-audit phase the facility practiced documenting rounds by all staff. As of 4.17.2023, the facility began documenting Unannounced Supervisor Watch Tours to demonstrate supervisor unannounced rounds.

Through such reviews, the facility meets the standard requirements.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review: <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff’s Office Policy CKJ 201 Booking Procedures, dated 6.1.2012

	<p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Commander / PREA Compliance Manager 2. Sheriff <p>The PAQ provided by the facility stated this facility did not house youthful inmates. Through interviews with the PREA Compliance Manager and Sheriff demonstrated youthful inmates were not housed at this facility.</p> <p>Site Observation:</p> <p>The facility tour and formal and informal interviews with inmates and staff demonstrated youthful inmates were not housed at the facility.</p> <p>(a) The Cherokee County Jail PAQ states the facility prohibits placing youthful inmates in a housing unit in which a youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters. The facility does not house youthful offenders.</p> <p>Cherokee County Sheriff's Office Policy CKJ 201 Booking Procedures, page 6, section 8. Juveniles A., states, "Juvenile offenders WILL NOT be held in the Cherokee County Jail."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013 3. Cherokee County Sheriff's Office Policy CKJ 405 Searches, dated 11.2012

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Correction Officers

Interviews with inmates demonstrated strip searches were conducted by same sex staff and search procedures were conducted respectfully.

Interviews with staff demonstrated cross gender searches had been trained; however, cross gender searches did not take place.

Site Review Observation:

During the tour the search areas was observed in the Booking area. Inmates are taken into a room off the Booking area, with a full door, outside of camera view. One staff is in the room with one inmate with the door opened about two inches with the bodycam just outside the door in order for others to hear the inmate search was conducted respectfully.

(a) Cherokee County Jail PAQ states the facility does not conduct cross-gender strip or cross-gender visual body cavity searches of their Inmates. In the past 12 months zero cross-gender strip or cross-gender visual body cavity searches of offenders.

Cherokee County Sheriff's Office Policy CKJ 405 Searches, page 2, section Inmate Searches, states, "Inmate searches require expertise and a professional attitude on the part of the employee. All inmate searches will be conducted by an employee of the same gender as the inmate or detainee. Searches of transgender and intersex and cross-gender will be conducted in a professional and respectful manner, and in the least intrusive manner possible consistent with security needs."

(b) Cherokee County Jail PAQ states the facility does not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision. The number of pat-down searches of female inmates that were conducted by male staff was zero.

(c) Cherokee County Jail PAQ states the facility policy requires that all cross-

gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches be documented and justified.

Cherokee County Sheriff's Office Policy CKJ 405 Searches, page 5, third paragraph, states, "All cross-gender searches (Pat or Rub Searches, Strip Searches, and Visual Body Cavity Searches) shall be documented on an Incident Report. A copy of this report will be submitted to the PREA Coordinator."

(d) Cherokee County Jail PAQ states the facility has implemented policies and procedures that enable Inmates to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks (this includes viewing via video camera). Policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit.

Cherokee County Sheriff's Office Policy CKJ 405 Searches, page 5, section Housing Unit Searches, states, "All Inmates within the Cherokee County Jail have the right to Shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such view is incidental to routine cell checks. Searches of housing units are performed on an unannounced and irregular basis. Staff of the opposite gender shall announce their presence when entering the housing area of the opposite gender. This type of search is usually conducted to uncover contraband, prevent escapes, maintain sanitary standards, and eliminate fire and/or safety hazards. A complete search and inspection is conducted in each room or cell before a new inmate occupies it. All cell searches will be entered in the Daily Activity Log so that staffs on succeeding shifts are able to avoid repetitive searches or can intentionally re-search a cell that may be considered "safe" by some inmates. Cells should be left as close as possible to the way they were found before the search. Inmate personal property must be treated with dignity and respect, and not willfully discarded, broken, or misplaced."

(e) The Cherokee County Jail PAQ states the facility has a policy prohibiting staff from searching or physically examining a transgender or intersex Inmate for the sole purpose of determining the Inmate's genital status. Such searches did not occur in the past 12 months.

Policy compliance can be found in provision (a) if this standard.

	<p>(f) The Cherokee County Jail PAQ states security staff do not receive training on conducting cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner. During the pre-audit phase, the Jail Commander stated the following. "During training Officers are informed that they will not conduct any cross-gender pat down searches. Our scheduling is set to have a male and a female on shift at all times so there will not be a need for that."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.16	Inmates with disabilities and inmates who are limited English proficient
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Office Policy CKJ 401 Disabled Persons in Jail, dated 7.8.2013 3. Post Audit: Universal Technical Translation Interpreter Services <p>Interviews:</p> <ol style="list-style-type: none"> 1. Targeted Inmates 2. Corrections Officer(s) 3. Sergeant / PREA Coordinator 4. Jail Administrator / PREA Compliance Manager <p>There was one cognitive targeted inmate, just released from suicide watch, still visibly upset, who understood PREA, stated he had been educated on PREA shortly after his arrival to the facility and understood he could report PREA through the KIOSK system. The inmate was not clear on third party reporting or anonymous reporting options. Those options were explained to him.</p> <p>Interviews with a Corrections Officer demonstrated orientation packet information was read to and reviewed with inmates during the booking process to ensure each</p>

understood the information they had received. Interviews with Correction Officers demonstrated they each understood the PREA education and reporting options to inmates; however, a large percentage were unaware of translation requirements to inmates and their primary source used was Google Translation.

Interviews with PREA Coordinator and the Jail Administrator demonstrated all Correction Officers work in the booking area and could provide inmates with PREA education. Upon Auditor discussion with administrative staff regarding staff awareness of translation services a recommendation was provided to secure a contract with translation services.

Site Review Observation:

Standardized bulletin boards were observed in each pod, providing PREA information flyers in both English and Spanish.

Recommendation:

Secure a language contract and train the use of translation services to facility staff. Post audit a language contract was established with Universal Translation Services and staff were trained on the use of language services on May 25, 2023.

(a) The Cherokee County Jail PAQ states the agency has established procedures to provide disabled Inmates equal opportunities to be provided with and learn about the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment.

Cherokee County Sheriff's Office Policy CKJ 401 Disabled Persons in Jail, page 2, section Procedure, first paragraph, states, "The Cherokee County Sheriff's Office shall take appropriate steps to ensure that inmates with disabilities (including for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. These steps include:

- a. When necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially.
- b. Ensure that written materials are provided in formats or through methods that

ensure effective communications with inmates with disabilities, limited reading skills, or who are blind or have low vision.”

(b) The Cherokee County Jail PAQ states the agency has established procedures to provide inmates with limited English 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.

Cherokee County Sheriff’s Office Policy CKJ 401 Disabled Persons in Jail, page 2, section Procedure, second paragraph, states, “The Cherokee County Jail shall provide Inmates with limited English proficiency 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.

a. The Jail shall prohibit use of inmate interpreters, inmate readers, or other assistant except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate’s safety, the performance of first-responder’s duties under 115.64 or the investigation of the inmate’s allegations.

b. Staff will complete an Incident Report documenting the limited circumstances in individual cases where inmate interpreters, readers, or other types of inmate assistants are used.

c. A copy of the Incident Report will be turned into the PREA Coordinator.”

(c) The Cherokee County Jail PAQ states the agency prohibits the use of inmate interpreters, inmate readers, or other types of inmate assistants 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. In the last 12 months the facility has had zero instances where inmates were used for interpreters. Policy compliance can be found in provision (a-b) of this standard.

Through such reviews, the facility meets the standard requirements.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Office Policy CKJ 202 Selection & Placement of Personnel, dated 11.5.2012

Interviews:

1. Jail Administrator

Interviews with the Jail Administrator demonstrated during the hiring process, criminal background checks are completed on each employee, contractor, and volunteer upon hire and annually thereafter. During the hiring process, applicants' complete administrative adjudication questions and institutional reference checks are completed on applicable applicants.

Site Review Observation:

By utilizing the PREA Audit Adult Prison & Jail Documentation Review Employee File/ Records template, 24 employee files reviewed demonstrated each had background checks upon hire and annually thereafter. Administrative questions were asked of all employees, and contractors and institutional reference checks were completed on six employees.

(a) The Cherokee County Jail PAQ states the agency policy prohibits hiring or promoting anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who: (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.

Cherokee County Sheriff's Office Policy CKJ 202 Selection & Placement of Personnel, page 5, section Guidelines for Filling a Position 1-2., states, "The agency shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. Whenever a vacant position is to be filled within Cherokee County Sheriff's Office, a number of guidelines must be maintained to ensure all applicants are treated equally to include the following:

1. Perform a criminal background records check; and
2. Ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (5) of Disqualification of Applicants sections in written applications or interviews for hiring or promotions and in any interviews or written selfevaluations conducted as part of reviews of current employees.”

(b) The Cherokee County Jail PAQ states agency policy requires the consideration of any incidents of sexual harassment when determining to hire and or promote anyone, or to enlist services of any contractor, who may have contact with inmates. Policy compliance can be found in provision (a) of this standard.

(c) The Cherokee County Jail PAQ states agency policy requires that before it hires any new employees who may have contact with inmates, it (a) conducts criminal background record checks, and (b) consistent with federal, state, and local law, makes 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. In the past 12 months, the number of persons hired who may have contact with inmates who have had criminal background record checks was 18.

Cherokee County Sheriff’s Office Policy CKJ 202 Selection & Placement of Personnel, page 5, section Guidelines for Filling a Position 3., states, “Consistent with Federal, State, and local law, makes 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.”

(d) The Cherokee County Jail PAQ states the agency policy requires that a criminal background records check be completed before enlisting the services of any contractor who may have contact with inmates. In the past 12 months there were zero contracts for services where criminal background record checks were conducted on all contractors covered in the contract who might have contact with inmates. Policy compliance can be found in provision (a) of this standard.

(e) The Cherokee County Jail PAQ states the agency policy requires that either criminal background record checks be conducted at least every five years for current employees and contractors who may have contact with inmates, or that a system is in place for otherwise capturing such information for current employees.

Cherokee County Sheriff's Office Policy CKJ 202 Selection & Placement of Personnel, page 6, section Continued Employment Standards 1., states, "To be eligible for continued employment an employee must, in addition to other conditions and standards, meet the requirements as specified in Employment Requirements, above. This agency shall either conduct criminal background records check at least every five years of employees and contractors who may have contact with inmates."

(f) During the pre-audit phase, the facility did not have a formal system to document administrative adjudication acknowledgments from staff and contractors. Beginning 4.17.2023, the facility had all staff and contractors sign a formal document ensuring each acknowledged all areas described in this provision.

(g) The Cherokee County Jail PAQ states that agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

Cherokee County Sheriff's Office Policy CKJ 202 Selection & Placement of Personnel, page 6, section Continued Employment Standards 2., states, "Material omissions regarding misconduct, or the provision of materially false information, shall be grounds for termination."

(h) During the pre-audit phase, the Jail Administrator / PREA Compliance Manager stated the facility would 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.

Through such reviews of the facility completing annual background checks on employees, contractors and volunteers, the facility exceed the standard requirements.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Commander / PREA Compliance Manager 2. Sheriff <p>Interviews with the facility and agency administrative staff demonstrated the facility has not acquired a new facility or made substantial expansions since the last PREA Audit.</p> <p>(a) The Cherokee County Jail PAQ states the facility has not acquired a new facility or made substantial expansions or modifications to existing facilities since the last PREA audit.</p> <p>(b) The Cherokee County Jail PAQ states the facility has installed a new camera system since the last PREA audit.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Office, Policy Sexual Assault Investigation, dated 2.15.2023 3. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013 4. Memorandum of Understanding, Spring River Mental Health and Wellness, dated 2.28.2022 5. Memorandum SANE Communication Attempt, dated 4.24.2022 (Post audit

facility secured a MOU)

Interviews:

1. Correction Officers
2. Contract LPN

The interview with Correction Officers demonstrated each are aware of signs and symptoms of sexual abuse and would immediately report allegations to the supervisor and the PREA Coordinator.

The interview with the Contract Nurse demonstrated herself, the medical assistants or the on call medical provider would make arrangements to send inmates to Community Health Center of Kansas.

(a) The Cherokee County Jail PAQ states the facility is responsible for conducting administrative sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). The agency/facility is not responsible for conducting criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct).

If another agency has responsibility for conducting either administrative or criminal sexual abuse investigations, the name of the agency that has responsibility is the Cherokee County Sheriff.

Cherokee County Sheriff's Office, Policy Sexual Assault Investigation, page 1, section Policy, states, "It is the policy of this law enforcement agency that all communication officers, law enforcement officers, and investigators utilize a professional, trauma-informed, victimcentered approach to sexual assault investigations. Law enforcement officers and investigators play a significant role in both the victim's willingness to cooperate in the criminal justice system and ability to cope with the emotional and psychological trauma of the crime. Therefore, it is important to proactively investigate these crimes and prosecute the offender in a manner that helps restore the victim's dignity and sense of control, while decreasing the victim's anxiety and increasing their understanding of criminal justice system processes."

(b) The Cherokee County Jail PAQ states the protocol is not developmentally appropriate for youth.

The protocol was adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly

comprehensive and authoritative protocols developed after 2011.

(c) The Cherokee County Jail PAQ states the facility offers all inmates who experience sexual abuse access to forensic medical examinations. Forensic examinations are offered at no cost to the victim. Where possible, all examinations are conducted by SAFE or SANE examiners. There have been zero forensic medical exams performed by a SAFE/SANE exam performed in the last 12 months.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 4, section Sexual Assault Nurse Examiner, states, "A registered nurse (R.N.) who has advanced education and clinical preparation in forensic examination of sexual assault victims. "SANEs offer victims prompt, compassionate care and comprehensive forensic evidence collection. In addition to helping preserve the victim's dignity and reduce psychological trauma, SANE programs enhance evidence collection for more effective investigations and better prosecutions."

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 7, section 4., states, "Inmates are encouraged to report all allegations of sexual abuse and/or sexualized behavior regardless of when the incident occurred. Access to services for the victim of sexual abuse will not be dependent on their willingness to report allegations or provide testimony. Reporting of alleged sexual abuse by inmates is critical to the timely delivery of necessary services to the victim and to holding perpetrators accountable and less likely to reoffend. All such reports will be investigated within the limitations of information provided and the willingness of inmates and/or others to provide testimony. When the victim of a PREA incident can be identified, they will be offered access to necessary services available through the Cherokee County Sheriff's Office and its community partners at no cost to the inmate/victim."

The facility provided a memorandum attempt for SAFE or SANE services to the Community Health Center of Southeast Kansas and a SANE with Via Christi Hospital on 4.24.2023.

(d) The Cherokee County Jail PAQ states the facility attempts to make a victim advocate from a rape crisis center available to the victim, in person or by other means. All efforts are documented. If a rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff or community member.

	<p>The facility provided a Memorandum of Understanding, Spring River Mental Health and Wellness. The MOU does not appear to have an expiration date and is signed by the Sheriff and the advocate Agency Director on 2.28.2022</p> <p>(e) The Cherokee County Jail PAQ states a qualified staff or community member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information and referrals.</p> <p>(f, g, h) The Cherokee County Jail PAQ states the agency not responsible for investigating administrative or criminal allegations of sexual abuse and does not rely on another agency to conduct these investigations.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Office, Policy Sexual Assault Investigation, dated 2.15.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correction Officers 2. PREA Coordinator / Administrative Investigator 3. Detective / Criminal Investigator <p>Staff interviews demonstrated each would immediately report all allegations to the PREA Coordinator and the Investigators.</p> <p>Site Review Observation:</p>

There were nine allegations of sexual harassment in the past 12 months. Of those investigations, the sources of allegations were victims writing a letter to the PREA Coordinator, through the Kiosk system, calling anonymously to the dispatch desk, and reporting to staff, demonstrating the facilities reporting options are taken seriously and investigated upon receipt of those allegations.

(a) The Cherokee County Jail PAQ states the agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment (including inmate-on-inmate sexual abuse and staff sexual misconduct). In the past 12 months the facility has had six allegations of sexual abuse and sexual harassment that were received. In the past 12 months, the number of allegations resulting in an administrative investigation was 10. In the past 12 months, the number of allegations referred for criminal investigation was 10.

Cherokee County Sheriff's Office, Policy Sexual Assault Investigation, page 2, section E., states, "It is the policy of this law enforcement agency that for all sexual assault investigations a written report is completed, and a formal report is submitted for prosecutorial review."

(b-c) The Cherokee County Jail PAQ states the agency has policy that requires allegations of sexual abuse or harassment to be referred for investigation to an agency with the legal authority to conduct criminal investigations.

Cherokee County Sheriff's Office, Policy Sexual Assault Investigation, page 20, section L., states, "All investigations of sexual assault shall be formally submitted for prosecutorial review and should include all available supporting investigative documents, such as all contact information for the victim and witnesses, the medical exam paperwork, results from laboratory analysis of evidence, interviews and statements from witnesses, and the final written investigative report."

(d) The Cherokee County Jail PAQ states the agency is responsible for conducting administrative or criminal investigations of alleged sexual abuse, and no other state entity has the responsibility to conduct criminal investigations.

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013
3. Cherokee County Sheriff's Office Jail Policy CKJ 208.1, PREA Training, dated 8.1.2013
4. Cherokee County Sheriff's Office Jail Policy CKJ 208 Training & Proficiency Testing, dated 1.12.2009
5. PREA Training Agenda, dated 11.8.2022
6. Cherokee County Sheriff's Office Training Roster, dated 4.7.2023

Interviews:

1. Correction Officers
2. Supervisory Staff

Interviews with staff demonstrated each were aware of and received initial, annual, refresher PREA training and ongoing information on PREA throughout the year. Staff were able to describe training components to include inmate and staff rights, professionalism, detecting abuse, preventative measures, responding to sexual harassment and sexual abuse and mandatory reporting requirements.

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Employee File / Records Review template, 24 of 24 employee training files demonstrate annual and refresher training has been trained in the past two years.

(a) The Cherokee County Jail PAQ states the agency trains all employees who may have contact with Inmates in all required provisions of this standard.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 9, section 4. g., states, "Facilitate an annual "lessons learned" staff training or in-service to examine all documentation associated with sexual abuse within the facility."

Cherokee County Sheriff's Office Jail Policy CKJ 208.1, PREA Training, page 2, section Procedure, states, "Cherokee County Sheriff's Office Staff who may have contact with inmates will receive training related to the prevention, detection, response, and investigation of sexual misconduct. This training shall include, but not be limited to, the following:

- a) The department's policies that address zero tolerance for sexual abuse and sexual harassment;
- b) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- c) The Inmate's right to be free from sexual abuse and harassment;
- d) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- e) The dynamics of sexual abuse and sexual harassment in confinement;
- f) The common reactions of sexual abuse and sexual harassment victims;
- g) How to detect and respond to signs of threatened and actual sexual abuse;
- h) How to avoid inappropriate relations with inmates;
- i) Effective and professional communication with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- j) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities."

The facility provided a PREA Training Agenda to include the following components.

- Review Policy CKJ 315 Prison Rape Elimination Act (PREA) Staff and/ or Inmate Sexual Misconduct
- Review Policy CKJ 208.1 PREA Training - Evidentiary Standard for Administrative Investigations
- Review Policy CKJ 216 Sexual Misconduct Investigations
- Review and discuss updated and revised PREA Orientation/ Screening/Risk Assessment Questionnaire forms with the added risk criteria required by the PREA standard 115.41 on Screening for risk of victimization and abusiveness.
- Discuss Policy CKJ 306 in accordance to PREA standard 115.76 on Disciplinary sanctions for staff.

- Discuss Policy CKJ 505 in accordance to the PREA standard 115.52 on Exhaustion of administrative remedies
- Emergency Sexual Abuse Grievance Procedures
- Discuss Policy CKJ 506 from the PREA standards 115.78 Disciplinary sanctions for inmates
- Review Policy CKJ401 Disabled Persons
- Review Policy CKJ 402 Security Inspections
- Review Policy CKJ 405 Searches
- Make staff aware of blind spots within the facility, specifically; under the stairs; MWR, FWR and Trustee showers; Med room, property room, shower between booking and medical due to no cameras; Laundry storage room, kitchen restroom, cleaning closets, coolers and dry storage.
- Each officer is required to complete the Training module provided by the National Institute of Corrections titled "PREA: Your Role in Responding to Sexual Abuse"
- Watch PREA Staff Training on YouTube provided by the Texas Dept. of Justice

(b) The Cherokee County Jail PAQ states training is tailored to the unique needs and attributes and gender of Inmates at the facility. Employees who are not reassigned from other facilities.

(c) The Cherokee County Jail PAQ states between trainings the agency provides employees who may have contact with inmates with refresher information about current policies regarding sexual abuse and sexual harassment. The frequency with which employees who may have contact with inmates receive refresher training on PREA requirements is annually.

(d) The Cherokee County Jail PAQ states the agency documents that employees who may have contact with Inmates, understand the training they have received through employee signature or electronic verification.

The facility provided a Cherokee County Sheriff's Office Training Roster. The roster is titled PREA Training and includes employee name, shift, and signature acknowledging "I confirm that I attended the training class listed above. I understand that as an employee it is my responsibility to abide by Cherokee County Jail policy and

	<p>procedures in accordance with the training.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.32	Volunteer and contractor training
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. PREA Volunteer and Contract Training Policy, Cherokee County Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors, not dated 3. Cherokee County Sheriff’s Office PREA Volunteer and Contractor Training Roster, dated 2.8.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Religious Volunteer 2. Contract LPN 3. Jail Administrator / PREA Compliance Manager <p>The interview with the Religious Volunteer demonstrated he has been trained on the agency zero tolerance policy for sexual harassment and sexual abuse to include reporting protocols.</p> <p>The interview with the Jail Administrator / PREA Compliance Manager demonstrated all contractors, volunteers and vendors are trained on the facility PREA policies.</p> <p>Site Observation:</p> <p>Review of the volunteer and contract Nurse files demonstrated each had received training and acknowledged training on the PREA Volunteer / Contractor Training Rosters.</p>

(a) The Cherokee County Jail PAQ states all volunteers and contractors who have contact with Inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and harassment prevention, detection, and response. 12 total contract staff and volunteers who have contact with Inmates, have completed the required training.

(b) The Cherokee County Jail PAQ states the level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates.

All volunteers and contractors who have contact with inmates have been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

The facility provided a PREA Volunteer and Contract Training Policy, Cherokee County Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors to include the following components.

1. Introduction to Volunteer and Contractor PREA Training
2. Zero Tolerance
3. How to Report Sexual Abuse or Sexual Harassment
4. Detecting Sexual Abuse and Sexual Harassment
5. Maintaining Professional Relationships with Inmates

(c) The Cherokee County Jail PAQ states the agency maintains documentation confirming that the volunteers and contractors understand the training they have received.

The facility provided a Cherokee County Sheriff's Office Volunteer and Contractor Training Roster. The roster is titled Volunteer and Contractor PREA Training and includes employee name, shift, Company/Division and signature acknowledging "I confirm that I attended the training class listed above. I understand that as an employee it is my responsibility to abide by Cherokee County Jail policy and procedures in accordance with the training."

Through such reviews of the facility training volunteers, contractors and every vendor who comes into the facility, the facility exceed the standard requirements.

115.33 Inmate education

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013
3. Cherokee County Sheriff's Office Sexual Abuse and Sexual Harassment Brochure, not dated
4. Cherokee County Sheriff's Office Inmate PREA Orientation and Acknowledgment, not dated
5. English and Spanish Door Posters, not dated

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Correction Officers

Interviews with the eight random and eight targeted inmates demonstrated each can report incidents of sexual abuse and sexual harassment by reporting verbally to any staff, calling the hotline number posted near their phones or using the Kiosk system for contacting staff and or writing grievances. Inmates also stated they could be provided a PREA packet which contained a paper form for reporting and an envelope for confidential mailing.

The interview with a Correctional Officer demonstrated he provided all intakes PREA education to include their rights to be free of sexual harassment and sexual abuse, how to report allegations of sexual harassment and sexual abuse, the facility PREA policy and having them view a PREA video.

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Inmate File / Records Review template demonstrated 16 of 16 inmates received PREA education within 72 hours of intake to include orientation and comprehensive education.

(a) The Cherokee County Jail PAQ states Inmates receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. The number of inmates admitted in the past 12 months who were given this information at intake was 1479

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 10, section Inmate Orientation, states, "During each facility orientation and as inmates are transferred between facilities, all inmates will receive information about sexual abuse and sexual harassment within 72 hours of their arrival to the facility. Staff will make individualized determinations about how to ensure the safety of each inmate. Designated staff will communicate the information verbally and in writing, in a manner that is clearly understood by the inmate. Information provided will include, but is not limited to:

- a) The Cherokee County Sheriff's Office's zero tolerance policy toward sexual abuse and sexual harassment.
- b) Inmate's right to be free from sexual abuse and/or harassment.
- c) Inmate's right to be free from retaliation.
- d) How to safely report incidents of abuse, neglect, and sexual abuse and/or harassment, including the options to report the incident to a staff member, or confidentially in writing to the PREA Coordinator. Posters and flyers written in English and Spanish are posted in every living unit and throughout the facility that include the phone numbers and addresses of agencies who have agreed to provide support services for inmate victims of sexual abuse or sexual harassment.
- e) The risks and potential disciplinary actions, including criminal prosecution, for engaging in any type of abuse and/or sexual activity or making false allegations while incarcerated in this facility.
- f) Review the facility's Sexual Assault and Custodial Sexual Misconduct brochure informing inmates their rights and how to prevent and report sexual misconduct and offer the inmate a copy if requested.
- g) A video presentation of PREA: What You Need to Know."

(b) The Cherokee County Jail PAQ states the number of those inmates admitted during the past 12 months (whose length of stay in the facility was for 30 days or more) who received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake was 240.

(c) The Cherokee County Jail PAQ states of those who were not educated during 30 days of intake, all inmates have been subsequently educated. Agency policy requires that inmates who are transferred from one facility to another be educated regarding their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents, to the extent that the policies and procedures of the new facility differ from those of the previous facility.

(d) The Cherokee County Jail PAQ states inmate PREA education is available in accessible formats for all inmates including those who are limited English proficient, deaf, visually impaired, otherwise disabled or have limited reading skills. Policy compliance can be found in § 115.16.

(e) The Cherokee County Jail PAQ states the facility maintains documentation of inmate participation in PREA education sessions.

The facility provided a Cherokee County Sheriff's Office Inmate PREA Orientation and Acknowledgment. The document provides inmates the following information.

1. The Cherokee County Sheriff's Office does not condone or tolerate any type of sexual misconduct, sexual assault, consensual sexual contact, sexual abuse, rape and/or sexual harassment toward any inmate'(s).
2. Inmates have the right to serve their incarceration free of sexual abuse.
3. Sexual assault can happen to males and females.
4. Sexual abuse can occur physically or verbally.
5. Physical sexual abuse occurs when a person physically touches or tries to touch another person's private parts; either on top or under the clothes.
6. Verbal sexual abuse occurs when a person verbally threatens to touch the private parts of another person.
7. Private parts include the: penis, vagina, inner thigh, buttocks or breast.
8. All persons are expected to immediately report any sexual assault, even if the assault happens to another person.
9. Sexual assault can be reported to any staff member or someone you trust.
10. Incidents can be reported directly by submitting a PREA Request to the PREA Coordinator. An Inmate can request an envelope to submit these forms in writing

through a sealed envelope.

11. The Sheriff's Office will aggressively pursue any complaints, suspicions or criminal acts of sexual misconduct up to including prosecution under Kansas Law.
12. Anyone who sexually assaults another person will face criminal charges.
13. Retaliation against a victim or the person who reported the sexual assault will not be tolerated.
14. All Victims and informants will be protected.
15. Reporting a sexual assault / sexual harassment is a serious allegation.
16. Inmates will be held accountable through all means available who allege sexual abuse, and whose allegations are proven by investigators to be false.

Inmates and the Booking / Interviewing Officers sign and date the document.

(f) The Cherokee County Jail PAQ states the agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, inmate handbooks, or other written formats.

The facility provided a Cherokee County Sheriff's Office Sexual Abuse and Sexual Harassment Brochure. The brochure includes the following information.

- How to Prevent It
- How to Report It
- Know Your Rights
- Zero Tolerance
- Sexual Abuse includes
- Sexual Harassment includes
- How to prevent sexual abuse or sexual harassment
- What to do if you've been sexually abused
- How to report sexual abuse/sexual harassment
- Your Options

	<p>The facility provided English and Spanish door posters. Door posters instruct inmates to 'Step Out of the Shadows' and report sexual harassment and sexual abuse.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Office Jail Policy CKJ 208.1 PREA Training, dated 8.1.2013 3. Certificates of Completion, NIC PREA: Investigating Sexual Abuse in a Confinement Setting: Advanced Investigations <p>Interviews and on site file review:</p> <ol style="list-style-type: none"> 1. PREA Coordinator / Administrative Investigator 2. Detective / Criminal Investigator <p>Interviews with the facility investigators and personnel file review demonstrated that each investigator either interviewed or who had completed investigations, had completed investigator training. Investigators also completed annual training as mandated in 115.31. The investigators interviewed clearly articulated their roles in the investigation and process steps to be taken as is described in the NIC investigator training curriculum.</p> <p>(a) The Cherokee County Jail PAQ states the agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.</p> <p>Cherokee County Sheriff's Office Jail Policy CKJ 208.1 PREA Training, page 3, section 3., states, "The department will provide specialized training for staff who respond to and/or investigate allegations of sexual misconduct. The department will maintain documentation that agency investigators have completed the required</p>

	<p>specialized training in conducting sexual abuse investigations. If an external agency conducts investigations of allegations of sexual abuse, all agents and investigators shall also provide documentation of such training. Specialized training shall include;</p> <ul style="list-style-type: none"> a) Techniques for interviewing sexual abuse victims; b) Proper use of Miranda and Garrity warnings; c) Sexual abuse evidence collection in confinement settings; d) The criteria and evidence required to substantiate a case for administrative action or prosecution referral.” <p>(b) The agency states investigator training has been completed on the National Institute for Corrections Specialized Investigator training website, which includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.</p> <p>(c) The Cherokee County Jail PAQ states the agency shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. The facility has three employees who have completed investigator training.</p> <p>The facility provided three Certificates of Completion, NIC PREA: Investigating Sexual Abuse in a Confinement Setting: Advanced Investigations.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Letter of Training Requirements to Medical / Mental Health Contractors, dated

6.24.2022

3. Certificates of Completion NIC PREA: Medical Health Care for Sexual Assault Victims in a Confinement Setting

Interviews:

1. Contract LPN

Interviews with the contract LPN demonstrated she had completed annual PREA training through the facility and her contracting agency as well as completing specialized medical and mental health training to include proper protocols of reporting, separating victims from abusive situations, acute and follow up care in accordance with their department responsibilities.

Site Observation:

Medical staff training records were uploaded to the on line audit system during the pre-audit phase.

(a) The Cherokee County Jail PAQ states the agency has a policy related to the training of medical and mental health practitioners who work regularly in its facilities. Five contractors, 100% of medical and mental health personnel who work at the facility have received training required by agency policy.

The facility provided a letter to medical and mental health contractors instructing them to complete modules PREA: Medical Health Care for Sexual Assault Victims in a Confinement Setting and PREA: Behavioral Health Care for Sexual Assault Victims in a Confinement Setting through the National Institute of Corrections website.

(b) The Cherokee County Jail PAQ states their medical staff do not conduct forensic medical exams.

(c) The Cherokee County Jail PAQ states the agency maintains documentation showing that medical and mental health practitioners have completed the required training.

The facility provided three Certificates of Completion NIC PREA: Medical Health Care

	<p>for Sexual Assault Victims in a Confinement Setting.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.41	Screening for risk of victimization and abusiveness
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff’s Office Policy CKJ 315 PREA, dated 7.1.2013 3. Cherokee County Sheriff’s Office Inmate PREA Orientation and Acknowledgment, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. Sergeant / PREA Coordinator <p>Interviews with inmates demonstrated each interviewed recalled being asked risk screening questions at the time of booking and again every month thereafter.</p> <p>The interview with the Sergeant / PREA Coordinator demonstrated herself and all Correction Officers completed risk screenings during the booking process. The PREA Coordinator explained risk screenings are scored for potential victimization and or perpetration. The PREA Coordinator also stated she personally conducts reassessments every 30 days and scans those assessments into the inmate files in the computer system.</p> <p>Site Observation:</p> <p>Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Inmate File / Records Review template, 16 of 16 inmate files reviewed demonstrate assessments were completed the same day of intake and 16 of 16 inmates were</p>

reassessed within 30 days of intake and every 30 days thereafter.

Recommendation:

Due to all correctional staff having the propensity to complete paper risk assessments and those assessments being scanned into the computer, providing access to correctional staff, it was recommended to stop the practice of scanning risk assessments in inmate files to ensure proper controls are in place for inmate privacy. Perhaps move to an electronic version of risk assessments. The facility stated instructions were given to all officers to stop scanning PREA Orientation. Also, if there is a high risk inmate or any other significant information are disclosed to contact a Supervisor or Administrator.

(a) The Cherokee County Jail PAQ states the facility has a policy that requires screening, upon admission or transfer, for risk of sexual abuse victimization or sexual abusiveness toward other Inmates.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 11, section 2., states, "The Inmate PREA Orientation Form will determine whether the inmate meets specific criteria indicating either vulnerability to sexual abuse or a history of sexual abusive behavior. Inmates may not be disciplined for refusing to answer, or for failing to disclose information in regards to the assessment questions. Inmates will be evaluated at intake to specifically determine their vulnerability to sexual abuse as indicated by the following risk factors:

- a) Age of the inmate;
- b) Physical build of the inmate;
- c) Whether the inmate has a mental, physical, or developmental disability;
- d) Whether the inmate has been previously incarcerated;
- e) Whether the inmate's criminal history is exclusively nonviolent;
- f) Whether the inmate has prior convictions for sex offenses against an adult or child;
- g) Whether the inmate is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- h) Whether the inmate has previously experienced sexual victimization;
- i) The inmate's own perception of vulnerability;
- j) Whether the inmate is detained solely for civil immigration purposes;

(b) The Cherokee County Jail PAQ states the policy requires that inmates be screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their intake. The number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 72 hours or more) who were screened for risk of sexual victimization or risk of sexually abusing other inmates with 72 hours of their entry into the facility was 1479, 100% of inmates.

(c-e) The Cherokee County Jail PAQ states the facility conducts risk assessments by using an objective screening instrument. The facility does not detain offenders solely for immigration purposes. Policy compliance can be found in provision (a) of this standard.

The facility provided a Cherokee County Sheriff's Office Inmate PREA Orientation, which includes the following information and risk screening questions.

- Inmate Name / Inmate Number
- Booking Date/Time / Current Date/Time
- Date of Birth / Height / Weight / Race
- What is your gender?
- What was your sex at birth?
- What is your gender expression?
- What is your sexual orientation?
- Who are you attracted to?
- Have you ever been incarcerated in a City, County, State, Federal or any other Facility? Comment:
- Have you had prior convictions for sex offenses against an adult or child? Comment:
- Have you ever been convicted of violent offenses? _____ Comment:
- List prior charges, convictions, and dates. (if answer to question 2 is Yes or verified through background check) Comment:
- Have you ever been Sexually Assaulted? Comment:
- Did the Assault occur in Jail or Prison? (If answer to Question 4 is Yes) Comment:

- How Long ago did the assault occur? Comment:
- Do you have a mental, physical or developmental disability? Comment:
- Is there any reason you feel you could become a victim of sexual abuse / sexual assault or sexual harassment while being held in this facility?

Interviewing Officer Observation / Questions

- Is this Inmate being detained solely for civil immigration purposes?
- By checking Cherokee County Sheriff's Office database, does inmate have prior Disciplinary actions within our facility for violent acts or sexual abuse _____
- Does the physical build; age, and/or appearance of this inmate need to be taken into consideration for housing assignment?
- Does the person's gender expression match the cultural and societal expectations for that gender in their general community?

(f) The Cherokee County Jail PAQ states the policy requires that the facility reassess each inmate's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening. The number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 30 days or more) who were reassessed for their risk of sexual victimization or of being sexually abusive with 30 days after their arrival at the facility based upon any additional relevant information received since intake was 240.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 11, section 3., states, "Staff will document verification of inmate's orientation and education on PREA by completing the Inmate PREA Orientation Form. Staff will maintain the original signed acknowledgment in the inmate's main file. Inmate's risk of victimization or abusiveness will be reassessed within 30 days from their arrival to the facility based upon any additional, relevant information received by the facility since the intake screening or when warranted due to a referral, request, incident of sexual abuse, or receipt of additional, relevant information received by the facility since the intake screening. Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security."

(g/i) The Cherokee County Jail PAQ states the policy requires that an inmate's risk

	<p>level be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. Policy compliance can be found in provision (f) of this standard.</p> <p>(h) The Cherokee County Jail PAQ states the policy prohibits disciplining inmates for refusing to answer (or for not disclosing complete information related to) questions regarding: (a) whether or not the inmate has a mental, physical, or developmental disability; (b) whether or not the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; (c) whether or not the inmate has previously experienced sexual victimization; and (d) the inmate's own perception of vulnerability. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews of the facility completing reassessments every 30 days on every inmate, the facility exceeds the standard requirements.</p>
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115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013 3. Cherokee County Sheriff's Office Policy CKJ 501 Classification of Inmates, dated 1.12.2009 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Sergeant / PREA Coordinator 2. Jail Administrator / PREA Compliance Manager 3. Sheriff <p>Interviews with administrative staff demonstrated all correctional personnel have access to inmate records as each are trained to complete the booking process. Interviews demonstrated the facility has specific housing assignments for potential victims and those inmates are kept separate from potential abusers. If necessary,</p>

victims and or abusive inmates could be housed in protective custody for their own protection.

Site Observation:

Review of staff protocols and inmate placement demonstrated thought and consideration is placed on inmates who could be considered victims and or aggressors in order to ensure sexual safety throughout the facility.

Recommendation:

Due to all corrections staff having the propensity to complete risk screening assessments and having access to inmate files, the Auditor requested assessments not be scanned into inmate files and or those assessments be available to the PREA Coordinator, Jail Administrator and appropriate administrative personnel.

(a) The Cherokee County Jail PAQ states the facility uses information from the risk screening required by §115.341 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 11, section 3., states, "Staff will document verification of inmate's orientation and education on PREA by completing the Inmate PREA Orientation Form. Staff will maintain the original signed acknowledgment in the inmate's main file. Inmate's risk of victimization or abusiveness will be reassessed within 30 days from their arrival to the facility based upon any additional, relevant information received by the facility since the intake screening or when warranted due to a referral, request, incident of sexual abuse, or receipt of additional, relevant information received by the facility since the intake screening. Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security."

(b) The Cherokee County Jail PAQ states the agency/facility makes individualized determinations about how to ensure the safety of each inmate. Policy compliance can be found in provision (a) of this standard.

(c-h) The Cherokee County Jail PAQ states the agency/facility makes housing and program assignments for transgender, or intersex inmates in the facility on a case-by-

case bases.

Cherokee County Sheriff's Office Policy CKJ 501 Classification of Inmates, page 4, section g., states, "Transgender and Intersex Inmates - The determining factor in where a transgender or intersex inmate is housed and their programming assignments will be genitalia. If a transgender woman has completed the surgical process and the penis has been removed, she will be housed in a female facility. If a transgender man has completed the surgical process of penile construction, he will be housed in a male facility. In cases of intersex inmates in which there is genital ambiguity, the decision of gender will be made through consultation with the staff medical doctor who will consider both the physical attributes as well as the chosen gender identity of the inmate. These assignments shall be reassessed twice a year."

(g) Cherokee County Sheriff's Office Policy CKJ 501 Classification of Inmates, page 4, paragraphs 2-3, states, "If an officer overrides the determination guided by the classification tree, the reason for overriding will be written in the space provided on the form. Inmates classified at the Minimum and Medium custody levels may be housed together. Likewise, Medium and Maximum custody inmates may be housed together. However, Minimum and Maximum custody level inmates will be housed separately."

Through such reviews, the facility meets the standard requirements.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none">1. Cherokee County Jail PAQ2. Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014 <p>Interviews:</p> <ol style="list-style-type: none">1. Jail Administrator / PREA Compliance Manager2. Sheriff

Interviews with Administrative staff demonstrated inmates could be housed in protective custody if they were at risk due to their crimes and or ongoing safety issues while housed at the facility.

(a/b) The Cherokee County Jail PAQ states the agency has a policy prohibiting the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless and an assessment of all available alternatives has been made and a determination has been made that there is not available alternative means of separation from likely abusers. The number of inmates at risk of sexual victimization who were held in involuntary segregated housing the past 12 months for one to 24 hours awaiting completion of assessment was zero.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 3, section 5. states, "Inmates at high risk for sexual victimization or who have alleged to have suffered from sexual abuse shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment. Inmates placed in segregation housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document the opportunities that have been limited, duration of the limitation, and the reason for such limitation. 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. If an involuntary segregated housing assignment is made, the facility shall document the basis for the facility's concern for the inmate's safety, and the reason why no alternative means of separation can be arranged. Every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population."

(c) The Cherokee County Jail PAQ states the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing in the past 12 months, for longer than 30 days while awaiting alternative placement was zero.

(d) The Cherokee County Jail PAQ states from a review of case files of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facilities concern for the inmate's safety, and (b) the reason or reason why

	<p>alternative means of separation could not be arranged was zero.</p> <p>(e) The Cherokee County Jail PAQ states if an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014 3. Cherokee County Sheriff's Office Jail Policy CKJ 315 PREA, dated 7.1.2013 4. Post Audit: No Means No Posting <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. Correction Officers <p>Interviews demonstrated inmates were comfortable reporting verbally to any staff, calling the hotline number posted near their phones or using the Kiosk system for contacting staff and or writing grievances. Inmates also stated they could be provided a PREA packet which contained a paper form for reporting and an envelope for confidential mailing.</p> <p>Interviews with Correction Officers demonstrated each would accept verbal, written, anonymous and third party reports of sexual harassment and sexual abuse and report</p>

those allegations to their supervisor and the PREA Coordinator as soon as possible.

Site Observations:

During the tour and informal interviews with inmates, inmates were able to demonstrate the path on the Kiosk system to report PREA information and or contact staff. Upon asking inmates to follow posted instructions for calling hotline numbers from payphones it was discovered that each of the numbers posted rang to the internal dispatch desk.

Action Plan:

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. Post audit the facility provided a No Means No posting with the following information.

The Cherokee County Jail offers multiple ways to report sexual abuse and sexual harassment. Reports can be made anonymously.

- Call PREA Tips at 1 (888) 299-0911.
- Report to any staff, volunteer, contractor, or medical or mental health staff.
- Submit a grievance or a sick call slip.
- Report to the PREA coordinator or PREA compliance manager.
- Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf by calling the Kansas Coalition against Sexual and Domestic Violence at
- (785) 232-9784. (This is a free call for inmates.)
- You also can submit a report on someone's behalf, or someone at the facility can report for you using the ways listed here.

Revise phone numbers posted on inmate pay phones to reflect the outside reporting agency phone number, with dialing instructions.

- Upload photos revised phone number posting to the online audit system's Supplemental files.

(a) The Cherokee County Jail PAQ states the agency has established procedures allowing for multiple internal ways for inmates to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other inmates or staff for reporting sexual abuse and sexual harassment; and (c) staff neglect or violation of responsibilities that may have contributed to such incidents.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 3, section 4., states, ". The agency shall 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."

(b) The Cherokee County Jail PAQ states facility provides 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. The agency does not have a policy requiring inmates detained solely for civil immigration purposes be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 6, section Victim Services, states, "The Cherokee County Sheriff's Office will attempt to provide reasonably needed and requested resources for victims of sexual abuse or misconduct. These services include victim advocates, medical personnel, and counselors. The inmate should be informed, prior to the access of these services, the extent of which communications will be monitored and the extent to which reports of sexual abuse will be reported to authorities in accordance to mandatory reporting laws."

(c) The Cherokee County Jail PAQ states the agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties. Staff are required to document verbal reports.

Cherokee County Sheriff's Office Jail Policy CKJ 315 PREA, page 6, section 2. a., states, ". The Cherokee County Jail is committed to: Protecting staff and inmates from retaliation from the perpetrator or others, beginning when the allegation is made until the threat has passed as determined through the investigation process."

Cherokee County Sheriff's Office Jail Policy CKJ 315 PREA, page 6, section 3., states, ". All Cherokee County Sheriff's Office (Jail) staff members must understand their responsibility in the prevention, detection, and reporting of all incidents of sexual abuse."

(d) The Cherokee County Jail PAQ states the agency has established procedures for staff to privately report sexual abuse and sexual harassment of inmates.

Cherokee County Sheriff's Office Jail Policy CKJ 315 PREA, page 13, section 2.b., states, "Staff may privately report sexual abuse, harassment, or misconduct by completing an incident report marked confidential and submitting it directly to the Agency PREA Coordinator. The PREA Coordinator shall ensure the allegation is investigated in accordance with this policy while maintaining the anonymity of the reporting staff. The PREA Coordinator shall maintain a confidential file of the privately reported allegations."

Through such reviews, the facility meets the standard requirements.

115.52

Exhaustion of administrative remedies

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Office Jail Policy CKJ 505 Inmate Grievance Procedures, dated 1.23.2011

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Sergeant / PREA Coordinator
4. Jail Commander / PREA Compliance Manager

Interviews with inmates demonstrated they were each aware grievance could be filed

through the Kiosk system. There were no complaints from inmates regarding grievances.

The interview with the Sergeant / PREA Coordinator and Jail Commander / PREA Compliance Manager demonstrated grievances are assigned to impartial staff for resolution.

Site Observation:

During the tour, an inmate was able to demonstrate how he could access grievances on the Kiosk system with ease.

(a) The Cherokee County Jail PAQ states the agency has an administrative procedure for dealing with Inmate grievances regarding sexual abuse.

Cherokee County Sheriff's Office Jail Policy CKJ 505 Inmate Grievance Procedures, page 1, section, Policy, states, "An Inmate of the Cherokee County Jail shall have the right and means to report a grievance to the Cherokee County Jail Administrator and proper officials in the state and county, without fear of being subjected to any adverse action."

(b) The Cherokee County Jail PAQ states agency policy or procedure allows an inmate to submit a grievance regarding an allegation of sexual abuse at any time, regardless of when the incident is alleged to have occurred.

Cherokee County Sheriff's Office Jail Policy CKJ 505 Inmate Grievance Procedures, page 1, section 2., states, "Inmate grievance or request forms are completed and addressed to the PREA Coordinator, will be delivered by personnel without alteration, interference or delay to the PREA Coordinator. The form may be given in a sealed envelope to a Jail Officer for delivery. An inmate can submit an alleged sexual abuse grievance at any time."

Cherokee County Sheriff's Office Jail Policy CKJ 505 Inmate Grievance Procedures, page 3, section Emergency Sexual Abuse Grievance Procedures 1., states, "Inmates that feel that they are subject to imminent sexual abuse may file an emergency grievance. Inmates can file an emergency grievance following the same procedures as a sexual abuse grievance, with the exception the inmate shall print on the

envelope that it is an emergency.”

(c) The Cherokee County Jail PAQ states the agency’s policy and procedure allows an inmate to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. The agency’s policy and procedure requires that an inmate grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint.

Cherokee County Sheriff’s Office Jail Policy CKJ 505 Inmate Grievance Procedures, page 2, section Emergency Sexual Abuse Grievance Procedures 2., states, “Inmate grievance or request forms are completed and addressed to the PREA Coordinator, will be delivered by personnel without alteration, interference or delay to the PREA Coordinator. The form may be given in a sealed envelope to a Jail Officer for delivery. An inmate can submit an alleged sexual abuse grievance at any time.”

(d) The Cherokee County Jail PAQ states the agency’s policy and procedures that require a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. In the past 12 months there has been zero grievance filed alleging sexual abuse.

Cherokee County Sheriff’s Office Jail Policy CKJ 505 Inmate Grievance Procedures, page 3, section Emergency Sexual Abuse Grievance Procedures 4., states, “The agency shall issue a final agency decision on the merits of any portion of the grievance within 90 days of the initial filing of the grievance. If a decision is not reached within the 90-day period, the agency may claim an extension of up to 70 days. The inmate shall be notified of such extension.”

(e) The Cherokee County Jail PAQ states agency policy and procedure permits third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of inmates. Agency policy and procedure requires that if an inmate declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the inmate’s decision to decline. The number of grievances alleging sexual abuse filed by inmates in the past 12 months in which the inmate declined third-party assistance, containing documentation of the inmate’s decision to decline was zero.

Cherokee County Sheriff’s Office Jail Policy CKJ 505 Inmate Grievance Procedures,

page 3, section Emergency Sexual Abuse Grievance Procedures 5., states, “The Cherokee County Sheriff’s Office will attempt to provide reasonably needed and requested resources for victims of sexual abuse or misconduct. These services include third parties, fellow inmates, staff members, family members, attorneys, and outside advocates. If the inmate declines such assistance, the agency will document such decision.”

(f) The Cherokee County Jail PAQ states the facility has a policy and established procedures for filing an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse. The facilities policy and procedures for emergency grievances alleging substantial risk of imminent sexual abuse require an initial response within 48 hours. The facilities policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse require that a final agency decision be issued within five days. Zero grievances were received alleging substantial risk of imminent sexual abuse, that were filed in the past 12 months. Policy compliance can be found in provision (b) of this standard.

(g) The Cherokee County Jail PAQ states the facility has a written policy that limits its ability to discipline an inmate for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the Inmate filed the grievance in bad faith. In the past 12 months, there have been zero grievances alleging sexual abuse to occasions where the agency demonstrated that the Inmate filed the grievance in bad faith.

Cherokee County Sheriff’s Office Jail Policy CKJ 505 Inmate Grievance Procedures, page 3, last sentence, states, “If an inmate is found to have falsified any grievance alleging sexual abuse, the inmate will be disciplined in accordance with CKJ Policy 506 Disciplinary procedures.”

Through such reviews, the facility meets the standard requirements.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:
	1. Cherokee County Jail PAQ

2. Memorandum of Understanding, Spring River Mental Health and Wellness, dated 2.28.2022
3. Cherokee County Sheriff's Office Law Enforcement Policy CKJ 216, dated 3.15.2014
4. Cherokee County Sheriff's Office Jail Policy CKJ 315 PREA, dated 7.1.2013
5. Spring River Contact Information Posting

Interviews:

2. Random Inmates
3. Targeted Inmates
4. Jail Commander / PREA Compliance Manager

Interviews with inmates demonstrated they were aware they could contact advocates upon request to a staff member.

The interview with the Jail Commander / PREA Compliance Manager demonstrated when requested by an inmate, advocates would be brought into the facility to speak with inmates. Post audit the Jail Administrator / PREA Compliance Manager provided a No Means No posting with a third party reporting option to family or friends and a phone number to the Kansas Coalition Against Sexual and Domestic Violence.

Site Observation:

During the tour inmates attempted to demonstrate how outside reporting calls would be dialed from payphones. We learned during this process that all outside numbers posted were ringing into the dispatch desk. (Reference action plan for standard 115.54.)

(a) The Cherokee County Jail PAQ states the facility provides Inmates with access to outside victim advocate for emotional support services related to sexual abuse by:

- The facility provides inmates with access to such services by giving inmates mailing addresses and telephone numbers (including toll-free hotline numbers where available) for local, state, or national victim advocacy or rape crisis organizations.
- The facility provides inmates with access to such services by giving inmates mailing addresses and telephone numbers (including toll-free hotline numbers where available) for immigrant services agencies for persons detained solely for civil

immigration purposes.

- The facility provides inmates with access to such services by enabling reasonable communication between inmates and these organizations in as confidential a manner as possible.

Cherokee County Sheriff's Office Law Enforcement Policy CKJ 216, page 8, section Victim Services, states, "The Cherokee County Sheriff's Office will attempt to provide reasonably needed and requested resources for victims of sexual abuse or misconduct. These services include victim advocates, medical personnel, and counselors. The inmate should be informed, prior to the access of these services, the extent of which communications will be monitored and the extent to which reports of sexual abuse will be reported to authorities in accordance to mandatory reporting laws."

Cherokee County Sheriff's Office Jail Policy CKJ 315 PREA, page 10, section 1.d. states, "During each facility orientation and as inmates are transferred between facilities, all inmates will receive information about sexual abuse and sexual harassment within 72 hours of their arrival to the facility. Staff will make individualized determinations about how to ensure the safety of each inmate. Designated staff will communicate the information verbally and in writing, in a manner that is clearly understood by the inmate. Information provided will include, but is not limited to: How to safely report incidents of abuse, neglect, and sexual abuse and/or harassment, including the options to report the incident to a staff member, or confidentially in writing to the PREA Coordinator. Posters and flyers written in English and Spanish are posted in every living unit and throughout the facility that include the phone numbers and addresses of agencies who have agreed to provide support services for inmate victims of sexual abuse or sexual harassment."

(b) The Cherokee County Jail PAQ states the facility informs inmates, prior to giving them access to outside support services, the extent to which such communications will be monitored. The facility informs inmates, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply for disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant Federal, State, or local law. Policy compliance can be found in provision (a) of this standard.

(c) The Cherokee County Jail PAQ states the facility maintains memoranda of understanding with community service providers that are able to provide inmates with emotional support services related to sexual abuse.

	<p>The facility provided a Memorandum of Understanding, Spring River Mental Health and Wellness. The MOU does not appear to have an expiration date and is signed by the Sheriff and the advocate Agency Director on 2.28.2022.</p> <p>On 5.6.2023 at 9:53 am this Auditor phoned Spring River Mental Health and Wellness facility at 620.429.1860 and received an afterhours message stating the facility is open Monday and Tuesday 8:00 – 5:00, Wednesday 8:00 – 6:00, and Thursday and Friday 8:00 – 5:00. If the call was an emergency to dial 1.866.634.2301. Due to the Auditor’s call not being an emergency, the emergency line was not dialed. On 5.8.2023 at 1:25 pm, this Auditor again phoned the Spring River Mental Health and Wellness facility. After proper introductions and the reason for calling the call was transferred to a supervisor who affirmed the afterhours phone number was to be used if an inmate was sexually abused and requested emotional support services during a forensic exam and to schedule follow up appointments at the Cherokee County Jail.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.54	Third-party reporting
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff’s Office Sexual Abuse and Sexual Harassment Brochure, not dated 3. Post Audit: No Means No Posting <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. Correction Officers <p>Interviews with inmates demonstrated many were unaware of third party reporting options. A recommendation was provided to the facility to add an emphasis on third party reporting during the booking process.</p>

Interviews with Correction Officers demonstrated they would accept allegations of sexual abuse and sexual harassment from third party's regardless of how the report was received.

Site Observation:

During tours of the non-contact visiting area, facility PREA brochures were located in the lobby and posted on the wall of the visiting area.

Recommendation:

Due to the outcome of inmate interviews, the facility completed training on May 25, 2023.

(a) The Cherokee County Jail PAQ states the facility provides a method to receive third-party reports of inmate sexual abuse or sexual harassment. The agency publicly distributes information on how to report Inmate sexual abuse or sexual harassment on behalf of Inmates. The PAQ states, "Posted on the website www.cherokeecountykssheriff.com. Also on doors throughout facility in public areas."

The facility provided a Cherokee County Sheriff's Office Sexual Abuse and Sexual Harassment Brochure. The brochure provides inmates the following information for third party reports.

Cherokee County Sheriff's Office

PO Box 479

Columbus, KS 66725

(620) 429-3992

www.cherokeecountykssheriff.com

On 4.8.2023 at 8:36 am, this Auditor sent the following email to www.cherokeecountysheriff.com.

Hello,

My name is Karen Murray and I am preparing to audit the Cherokee County Jail in accordance with Prison Rape Elimination Act standards. This email is an attempt at a third party report. Could you please respond and state how the facility responds to third party reports via this website?

Thank you in advance for your time.

The NIXLE website instantly responded with “Agency members may have follow-up questions for you after your tip has been submitted. To follow-up on this tip anonymously, log in to local.nixle.com/tip/follow-up/ later using the passcode found below. All communications with the agency will remain anonymous.” A passcode of 435404417 was provided.

On 4.10.2023 at 7:45 am the following message was received.

Good morning - I received your inquiry on third party PREA reports. If our agency receives such a report through the website, I would forward it to our Jail Administrator, the PREA Compliance Officer and an investigator for follow-up / investigation.

Please let me know if you have any additional questions or if I can be of further assistance.

Thanks,

Sheriff David M. Groves

Cherokee County Sheriff's Office

Through such reviews, the facility meets the standard requirements.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Correction Officers
4. Contract LPN
5. Sergeant / PREA Coordinator
6. Jail Commander / PREA Compliance Manager
7. Detective / Investigator
8. Sheriff

Interviews with the inmates and staff demonstrated each actively practices and understands the importance of immediately reporting all allegations of sexual abuse and sexual harassment. Inmates and staff alike all feel comfortable reporting to the PREA Coordinator and a large percentage of those interviews stated they would report to her, first.

Site Observations:

As is stated in § 115.22, nine allegations of sexual harassment were reported in the past 12 months. Of those investigations, the sources of allegations were victims writing a letter to the PREA Coordinator, through the Kiosk system, calling anonymously to the dispatch desk, and reporting to staff, demonstrating inmates and staff understand the reporting options and requirements.

(a) The Cherokee County Jail PAQ states the agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency. The agency requires all staff to report immediately and according to agency policy any retaliation against inmates or staff who reported such an incident. The agency requires all staff to report

immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 8, section 2.a., states, "Cherokee County Staff Members are responsible for the following: immediately reporting any allegation of sexual abuse to a Supervisor or above, as mandated by applicable state law and or Cherokee County Sheriff's Office Policies."

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 6, section 2.b., states, "Protecting staff and inmates from retaliation from the perpetrator or others, beginning when the allegation is made until the threat has passed as determined through the investigation process."

(b/e) The Cherokee County Jail PAQ states, apart from reporting to designated supervisors or official and designated state or local service agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 6, section 2.c., states, "Protecting staff and inmates by ensuring that information obtained through the investigation is only shared with staff who are involved in the investigation or case management of the involved parties."

(c) Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 6, section 2. d., states, "Maintaining medical and mental health confidentiality during a PREA investigation by sharing only relevant information with necessary staff."

(d) Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 8, section 2. e., states, "Informing inmates of any limits to confidentiality prior to conducting any interview."

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013

Interviews:

1. Correction Officers
2. Sergeant / PREA Coordinator
3. Jail Commander / PREA Compliance Manager
4. Sheriff

There were zero inmates in the facility at the time of the onsite review who were in protective custody.

Interviews with administrative staff demonstrated the facility staff act promptly and responds properly at the discovery of any incident involving sexual harassment or sexual abuse and those inmates would be placed in protective custody in order to keep them safe. Administrators stated inmates in protective custody are provided the same programs and privileges as other inmates in the facility and staff check in with them on a weekly basis, if not daily.

Site Observation:

During the tour of the facility, both segregation cells were observed to be empty.

(a) The Cherokee County Jail PAQ states when the agency or facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the Inmate. In the past 12 months, the facility reports zero inmates were subject to substantial risk of imminent sexual abuse. Upon discovery of inmates being subject to substantial risk, the facility immediately separates the victim from the perpetrator, made notification and completed incident reporting requirements.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 6, section 2.a., states,

	<p>“Protecting inmates from sexual abuse.”</p> <p>Cherokee County Sheriff’s Office Policy CKJ 315 PREA, page 6, section 3., states, “All Cherokee County Sheriff’s Office (Jail) staff members must understand their responsibility in the prevention, detection, and reporting of all incidents of sexual abuse.”</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.63	Reporting to other confinement facilities
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff Office Policy CKJ 216, Sexual Misconduct Investigations, dated 3.14.2014 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator / PREA Compliance Manager 2. Sheriff <p>The interview with the Sheriff demonstrated that he was aware that upon receiving an allegation that an inmate was sexually abused while confined at another facility he or the Jail Administrator would report the allegation to the receiving facility Sheriff or Jail Administrator, within 72 hours, depending on the relationship each had with the receiving facility and assist the responsible facility during the investigation process.</p> <p>Site Observation:</p> <p>During the pre-audit phase the Jail Administrator stated the facility had encountered this circumstance for the first time in the past 12 months. The facility had the receiving facility complete interviews of the staff and inmates involved in this investigation and the investigation was reviewed during the onsite review. The outcome of the investigation was substantiated.</p>

(a) The Cherokee County Jail PAQ states the agency has a policy requiring that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. The agency's policy also requires that the head of the facility notify the appropriate investigative agency. In the past 12 months the has received one allegations that an inmate was abused while in confinement at another facility.

Cherokee County Sheriff Office Policy CKJ 216, Sexual Misconduct Investigations, page 2, section 2., states, "If any employee or volunteer of the Cherokee County Sheriff's Office is notified of allegations of sexual misconduct concerning an inmate while housed in another correctional facility, that employee or volunteer shall immediately notify the PREA Coordinator, who will then relay the information to the Cherokee County Jail Administrator and Captain Detective. The Cherokee County Jail Administrator, as soon as practical, but no later than within 72 hours, will notify the Jail Administrator of the jurisdiction which has been charged original custody of the inmate. In addition, the Cherokee County Jail Administrator will insure that the law enforcement agency with primary investigative jurisdiction where the alleged abuse occurred has been notified."

(b) The Cherokee County Jail PAQ states agency policy requires that the facility head provides such notification as soon as possible, but no later than 72 hours after receiving the allegation. Policy compliance can be found in provision (a) of this standard.

(c) The Cherokee County Jail PAQ states the facility documents that it has not had a need to provide such notification within 72 hours of receiving the allegation. Policy language can be found in provision (a) of this standard.

(d) The Cherokee County Jail PAQ states facility policy requires that allegations received from other agencies or facilities are investigated in accordance with the PREA standards. In the last 12 months, there have been zero allegations of sexual abuse.

Cherokee County Sheriff Office Policy CKJ 216, Sexual Misconduct Investigations, page 2, section 1., states, "Any person may report allegations of sexual misconduct to any member of the Cherokee County Sheriff's Office. This reporting can be done in person, in writing, by telephone or by electronic means, including anonymous email

from our website, www.cherokeecountykssheriff.com. Regardless of the reporting method, the reporter may choose not to identify him or herself. All allegations will be taken seriously and forwarded to the PREA Coordinator, who will then relay the information to the Jail Administrator and Captain Detective, both of whom will keep a record of all allegations made, regardless of whether the allegation involves potential policy violations and / or potential violations of criminal law. All allegations received will be investigated according to the PREA standards.”

Through such reviews, the facility meets the standard requirements.

115.64 Staff first responder duties

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff’s Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014

Interviews:

1. Correction Officers
2. Jail Commander / PREA Compliance Manager

Interviews with Correction Officers demonstrated they were aware of their first responder responsibilities. If sexual abuse occurred, Correction Officers stated they would immediately stop abuse, separate victims and perpetrators, secure the area where abuse was alleged, preserve evidence by ensuring victims and aggressors did not eat, drink, and shower. When asked where victims and aggressors would be placed after an incident of sexual abuse, staff stated they would be placed in segregation cells where access to water would be shut off to ensure washing did not take place.

(a) The Cherokee County Jail PAQ states the agency has a first responder policy for allegations of sexual abuse. The policy requires that, upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to separate, preserve, protect, collect physical evidence, request that the alleged victim not take any actions that could destroy physical

evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. If the abuse occurred within a time period that still allows for the collection of physical evidence, 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. In the past 12 months, zero allegations occurred where an inmate was sexually abused.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 2., section 3. a., states, ". The Sexual Abuse First Responder Checklist shall be used upon report of an allegation of inmate sexual abuse. The first initial actions of security and non-security staff members are noted below.

- a. The first security staff member to respond to the report shall be required to:
 - i. Separate the alleged victim and abuser.
 - ii. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence.
 - iii. Request that the alleged victim not take any actions that could destroy physical evidence.
 - iv. Ensure the alleged abuser does not take any actions that could destroy physical evidence.
 - v. Notify the immediate supervisor, who will notify the Jail Administrator.
 - vi. Notify medical or mental health."

(b) The Cherokee County Jail PAQ states the facility's' policy requires that if the first staff responder is not a security staff member, that responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and notify security staff. Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder was zero.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 3., section 3. b., states, "The first non-security staff member to respond to the report shall be required to:

- i. Separate the alleged victim and abuser.
 - i. Request that the alleged victim not take any actions that could destroy

	<p>physical evidence and then notify security staff.</p> <p>ii. Notify a security staff member If it is learned that an inmate is subject to a substantial risk of imminent sexual abuse, staff shall take immediate action to protect the inmate at risk of victimization.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.65	Coordinated response
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff’s Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correction Officers 2. Jail Commander / PREA Compliance Manager 3. Administrative Staff <p>Interviews with the Correction Officers and Administrative staff demonstrated the response to allegations is written to coordinate actions taken in response to sexual abuse and sexual harassment incidents.</p> <p>Site Observation:</p> <p>Review of the agency policy for allegations demonstrates clear direction is provided to staff to ensure first responder duties are fulfilled.</p> <p>(a) The Cherokee County Jail PAQ states the facility developed 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>Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations outlines the following departmental instruction.</p> <p>A. Reporting / Initial Actions</p> <ol style="list-style-type: none"> 1. Sexual Abuse First Responder Checklist 2. First Non Security Staff Member response <p>B. Investigation</p> <p>C. Concluding Documentation / Notification</p> <p>D. Victim Services to include medical and mental health personnel and counselors.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ <p>Interviews:</p> <ol style="list-style-type: none"> 1. Sheriff <p>The interview with the Sheriff demonstrated the agency is not responsible for collective bargaining.</p> <p>(a) The Cherokee County Jail PAQ states the agency, facility, or any other governmental entity responsible for collective bargaining on the agency's behalf has not entered into or renewed any collective bargaining agreement or other agreement since August 20, 2012, or since the last PREA audit, whichever is later.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.67 Agency protection against retaliation

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014

Interviews:

1. Sergeant / Discipline Officer / PREA Coordinator
2. Jail Administrator / PREA Compliance Manager
3. Sheriff

The interview with the Sergeant / Discipline Officer / PREA Coordinator demonstrated she would initiate contact with the victim upon receipt of a sexual abuse allegation and explain the retaliation monitoring processes. The Sergeant / PREA Coordinator stated she would monitor housing changes, behavior changes and disciplinary reports during retaliation monitoring. The Sergeant / PREA Coordinator stated she would then conduct periodic documented checks upon initiation of retaliation monitoring and every 30 days thereafter for 90 days or as long as necessary.

Both interviews with the Jail Administrator and the Sheriff demonstrated, irrefutably, that retaliation monitoring would not be tolerated in the facility, by anyone be it inmates or staff.

Site Observation:

There has not been a sexual abuse allegation in the past 12 months, therefore retaliation monitoring has not taken place.

(a/d) The Cherokee County Jail PAQ states the agency has 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. The agency designates staff member(s) or charges department(s) with monitoring for possible retaliation. The facility designates the Discipline Officer / Sergeant / PREA Coordinator with monitoring retaliation.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 4, second paragraph, 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. Monitoring shall occur at least every 30 days and shall include:

- a. Any inmate disciplinary reports;
- b. Housing changes;
- c. Program changes;
- d. Negative performance reviews;
- e. Reassignment of staff;
- f. Periodic status checks.

Monitoring shall continue beyond 90 days if the initial monitoring indicates a continuing need. The obligation to monitor shall terminate if the agency determines that the allegation is unfounded."

(b/e) Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 4, section 6., states, "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."

(c) The Cherokee County Jail PAQ states the facility monitors the conduct or treatment of inmates or staff who reported sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are any changes that may suggest possible retaliation by inmates or staff. The length of time that the facility monitors the conduct of treatment is 90 days. The facility acts promptly to remedy any such retaliation. The agency/facility continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need. In the past 12 months, the facility has had zero incidents of retaliation. Policy compliance can be found in provision (a) of this standard.

Through such reviews the facility meets the standard requirements.

115.68 Post-allegation protective custody

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014

Interviews:

1. Jail Administrator / PREA Compliance Manager
2. Sheriff

Interviews with Administrative staff demonstrated inmates could be housed in protective custody if they were at risk due to their crimes and or ongoing safety issues while housed at the facility.

Site Observation:

The facility has not experienced a sexual abuse allegation in the past 12 months.

(a) The Cherokee County Jail PAQ states the agency has a policy prohibiting the placement of inmates who allege to have suffered sexual abuse 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. The number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment was zero.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 3, section 5., states, "Inmates at high risk for sexual victimization or who have alleged to have suffered from sexual abuse shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment. Inmates placed in segregation housing for this purpose shall have access

to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document the opportunities that have been limited, duration of the limitation, and the reason for such limitation. 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. If an involuntary segregated housing assignment is made, the facility shall document the basis for the facility's concern for the inmate's safety, and the reason why no alternative means of separation can be arranged. Every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population."

Through such reviews, the facility meets the standard requirements.

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014 3. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Sergeant / PREA Coordinator / Administrative Investigator 2. Detective / Criminal Investigator <p>The interview with the Sergeant and the Detective demonstrated each had completed specialized investigator training for investigators through the NIC website. Each investigator clearly articulated processes required during an investigation, to gathering statements, interviewing anyone involved in or witnesses to the allegation, reviewing of video footage and reviewing policies to ensure staff actions did not contribute to the abuse or if the facility could enhance current practices to provide a safer environment.</p>

Site Observation:

Through utilization of the PREA Audit – Adult Prisons & Jails Documentation Review – Investigations template, nine sexual harassment administrative investigations were reviewed. Each investigation was completed within one to two weeks of receipt of the allegation. Investigations were completed thoroughly and objectively with reasoning behind credibility statements with summaries of interviews describing investigative facts and findings.

(a) The Cherokee County Jail PAQ states the agency/facility has a policy related to criminal and administrative agency investigations.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 1, section Policy, states, "It is the policy of the Cherokee County Sheriff's Office to insure inmates being housed in our custody, are provided an environment free from sexual harassment and assault, regardless of whether the harassment or assault comes from employees and volunteers of the Cherokee County Sheriff's Office or other inmates. All allegations of inappropriate sexual conduct will be taken seriously and thoroughly investigated."

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 5, section B. (8), states, "The Cherokee County Sheriff's Office shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. If the allegation involves an employee or volunteer of the Cherokee County Sheriff's Office, the Captain Detective may impanel the Professional Standards Team (in accordance with agency policy on Internal Investigations) to conduct a parallel administrative investigation to any potential criminal investigation. Should a conflict of interest be identified, the Sheriff will request that the investigation be conducted by the Kansas Bureau of Investigation."

(b) Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 5., section 12., states, "The Cherokee County Sheriff's Office will ensure the investigator assigned has received specialized investigative training relating to inmate sexual assault investigations, will lead any investigative efforts, unless the Kansas Bureau of Investigation has been deemed to be the primary investigative agency. Both the Cherokee County Sheriff's Office and the Kansas Bureau of Investigation have criminal investigative jurisdiction in any and all places in Cherokee County, Kansas, including in the Cherokee County Jail."

(c) Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 5., section 13., states, "The lead investigator will attempt to obtain written statement(s) from the alleged victim, any video / audio files which may exist and serve evidentiary purposes, voluntary witness statements, written and verbal statements from the alleged perpetrator, and forensic evidence."

(d) Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 6., section 16., states, "Any investigation involving an employee or volunteer will be conducted in accordance with the Cherokee County Sheriff's Office Professional Standards Team Internal Investigation Policy, where Garrity and Miranda Warnings will be applied, as required, given the particular circumstances."

(e) Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 5., section 15., states, "The alleged victims' status as an inmate will not be cause for sole determination of credibility, or lack thereof, and the alleged victim shall not be requested to submit to a polygraph or other truth-telling device as the sole condition for proceeding with the investigation."

(f) Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 12, section 1. (a), states, "An inmate may report allegations of sexual abuse, sexual harassment, or retaliation by other inmates or staff verbally or in writing. In addition, inmates may report staff neglect or violations of responsibilities that may have contributed to incidents of sexual abuse or harassment. Allegations may be reported to any staff member."

(g) Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 6., section Concluding Documentation / Notification 18., states, "At the conclusion of any internal investigation into alleged sexual misconduct by any employee or volunteer of the Cherokee County Sheriff's Office, written documentation will be provided to the alleged victim / reporter (if known) indicating whether the allegations were sustained, not sustained, exonerated, unfounded, policy and procedure, no misconduct or incomplete investigation (In accordance with Cherokee County Sheriff's Office Internal Investigations Policy)."

(h) The Cherokee County Jail PAQ states there has been zero allegations of conduct that appears to be criminal that was referred for prosecution, since the last audit date.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 6., section 17., states, "If the investigation yields information that suggests a criminal violation has occurred, the lead investigator will meet with the Cherokee County Attorney or his / her designee and present the case for consideration of prosecution. This will be done regardless of whether the alleged perpetrator has left employment with the Cherokee County Sheriff's Office or is no longer in the custody of the Cherokee County Sheriff's Office."

(i) The Cherokee County Jail PAQ states the agency retains all written reports pertaining to administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 6., section Concluding Documentation / Notification 19., states, "Internal Investigations will remain on file for a period of five years after the last date of employment of any employee or volunteer who was alleged to have committed a policy or law violation. If the allegations were deemed unfounded or a declination of prosecution was made, the file will be kept for a duration as set by the Kansas Historical Society."

(j) Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 6, section h., states, "The Cherokee county Jail is committed to: Thoroughly investigating staff sexual abuse regardless of whether the alleged perpetrator is terminated or resigns."

Through such reviews the facility meets the standard requirements.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <p>1. Cherokee County Jail PAQ</p> <p>Interviews:</p>

	<ol style="list-style-type: none"> 1. Sergeant / Administrative Investigator 2. Detective / Criminal Investigator <p>The interview with the investigators demonstrated the facility 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>(a) The Cherokee County Jail PAQ states the agency imposes a standard of a preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 5, section 7., states, "If the alleged incident occurred within a time period that still allows for the collection of physical evidence, the shift supervisor / employee / volunteer shall request the alleged victim to not take any actions that could destroy physical evidence, including washing, brushing teeth, changing clothes, urinating, defecating, smoking drinking or eating. The Cherokee County Sheriff's Office 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>Through such reviews, the facility meets the standard requirements.</p>
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115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Sergeant / Administrative Investigator

2. Detective / Criminal Investigator

The interview with the investigators demonstrated notification requirements to victims would be documented on investigative reports, when this occurred.

Site Observation:

The facility has not experienced a sexual abuse allegation, to date.

(a) The Cherokee County Jail PAQ states the agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency. The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility in the past 12 months was nine. Of the alleged sexual abuse investigations that were completed in the past 12 months, the number of inmates who were notified, verbally or in writing, of the results of the investigations was nine.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 6, section 18., states, ".At the conclusion of any internal investigation into alleged sexual misconduct by any employee or volunteer of the Cherokee County Sheriff's Office, written documentation will be provided to the alleged victim / reporter (if known) indicating whether the allegations were sustained, not sustained, exonerated, unfounded, policy and procedure, no misconduct or incomplete investigation (In accordance with Cherokee County Sheriff's Office Internal Investigations Policy)."

(b) The Cherokee County Jail PAQ states If an outside entity does not conduct such investigations. The number of investigations of alleged inmate sexual abuse in the facility that were completed by an outside agency in the past 12 months was zero.

(c) The Cherokee County Jail PAQ states following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency/facility subsequently informs the Inmate (unless the agency has determined that the allegation is unfounded) whenever:

- The staff member is no longer posted within the Inmate's unit;
- The staff member is no longer employed at the facility;

- The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
- The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

There has been zero substantiated or unsubstantiated complaints committed by staff member in the past 12 months.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 5, section 10., states, "Following an allegation that a staff member has committed sexual abuse against an inmate, the inmate shall be informed when the staff member is no longer posted within the inmate's unit, the staff member is no longer employed at the facility, and if the agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility."

(d) The Cherokee County Jail PAQ states following an inmate's allegation that he or she has been sexually abused by another inmate in an agency facility, the agency subsequently informs the alleged victim whenever: the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 5, section 11., states, "Following an inmate's allegation that he or she was sexually abused by another inmate, the agency shall inform the inmate, if still incarcerated in their facility, when they learn the alleged abuser has been indicted on or convicted of a charge related to sexual abuse in the facility. These notifications shall be documented."

(e) The Cherokee County Jail PAQ states the agency has a policy that all notifications to inmates described under this standard are documented. In the past 12 months, there has been zero notifications to an inmate, pursuant to this standard. Policy compliance can be found in provisions (c) and (d) of this standard.

Through such reviews the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014

Interviews:

1. Detective / Criminal Investigator

Interview with the Jail Administrator / PREA Compliance Manager demonstrated employees alleged to participate in sexual harassment or sexual abuse would be placed on administrative leave until the investigation was completed and referred for prosecution if necessary.

Site Observation:

In the last 12 months, the facility had zero staff who was disciplined for violation of an agency sexual abuse or sexual harassment policy.

(a) The Cherokee County Jail PAQ states staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 7, section 17., states, "If the investigation yields information that suggests a criminal violation has occurred, the lead investigator will meet with the Cherokee County Attorney or his / her designee and present the case for consideration of prosecution. This will be done regardless of whether the alleged perpetrator has left employment with the Cherokee County Sheriff's Office or is no longer in the custody of the Cherokee County Sheriff's Office.

- a.) Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.
- b.) Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.
- c.) Disciplinary sanctions for violation of agency policies relating to sexual abuse or

sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

d.) 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.”

(b) The Cherokee County Jail PAQ states in the last 12 months, there has been zero staff from the facility that had violated agency sexual abuse or sexual harassment policies.

(c) The Cherokee County Jail PAQ states disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are 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. In the past 12 months, the number of staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies (other than actually engaging in sexual abuse) is zero. Policy compliance can be found in provision (a) of this standard.

(d) The Cherokee County Jail PAQ 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, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. In the past 12 months, zero staff have been terminated for sexual abuse or harassment. Policy compliance can be found in provision (a) of this standard.

Through such reviews, the facility meets the standard requirements.

115.77	Corrective action for contractors and volunteers
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	Auditor Overall Determination: Meets Standard
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	Auditor Discussion
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	Document Review:
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1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014

Interviews:

1. Detective / Criminal Investigator

The interview with the Detective demonstrated any volunteer or contractor who engaged in sexual abuse would be removed from the facility and referred for prosecution if necessary.

Site Observation:

During the last audit cycle, the facility did not have any volunteers or contractors subject to disciplinary action due to violating sexual abuse or sexual harassment policies.

(a) The Cherokee County Jail PAQ states agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. Agency policy requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with inmates. In the past 12 months, there have been zero contractors or volunteers reported to law enforcement or relevant licensing bodies for engaging in sexual abuse of inmates.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 6, section 1., states, "Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with the inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies."

(b) The Cherokee County Jail PAQ states the facility takes appropriate remedial measures and considers whether to prohibit further contact with inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct

	<p>Investigations, page 6, section 2., states, “The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff’s Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Detective / Criminal Investigator <p>The interview with the Detective demonstrated residents would be disciplined through the agency disciplinary process and referred for prosecution if necessary.</p> <p>(a) The Cherokee County Jail PAQ states inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. Inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. In the past 12 months there have been zero administrative findings of inmate-on-inmate sexual abuse. In the past 12 months there have zero criminal findings of guilt for inmate-on-inmate sexual abuse.</p> <p>Cherokee County Sheriff’s Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 8, section 1., states, “Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.”</p>

(b) Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 8, section 2., states, "Sanctions shall be 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."

(c) Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 8, section 3., states, "The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed."

(d) The Cherokee County Jail PAQ states the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse. The facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse, the facility considers whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 8, section 4., states, "The Cherokee County Sheriff's Office offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, and shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits."

(e) The Cherokee County Jail PAQ states the agency disciplines inmates for sexual contact with staff only upon finding that the staff member did not consent to such contact.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 8, section 5., states, "This agency may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact."

(f) The Cherokee County Jail PAQ states the agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence

sufficient to substantiate the allegation.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 8, section 6., states, "For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation."

(g) The Cherokee County Jail PAQ states the agency prohibits all sexual activity between inmates. If the agency prohibits all sexual activity between inmates and disciplines inmates for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 8, section 7., states, "This agency may, in its discretion, prohibit all sexual activity between inmates and may discipline inmates for such activity. This agency may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced."

Through such reviews, the facility meets the standard requirements.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion Document Review: <ol style="list-style-type: none">1. Cherokee County Jail PAQ2. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013 Interviews: <ol style="list-style-type: none">1. Contract LPN2. Sergeant / PREA Coordinator

3. Jail Administrator / PREA Compliance Manager

Interviews with the facility administration demonstrated disclosure reports are forwarded to the Spring River Mental Health Services agency who will schedule an appointment with inmates typically within one week of referral.

(a, c) The Cherokee County Jail PAQ states all Inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.341 are offered a follow-up meeting with a medical or mental health practitioner. Follow up meetings are offered within 14 days of the intake screening. In the past 12 months one offender, 100 percent disclosed prior victimization during the intake screening. Medical and mental health staff maintain secondary materials, documenting compliance with the above required services.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 12, section 4., states, "If indicated the inmate has experienced prior sexual victimization, or has previously perpetrated sexual abuse, whether in an institutional setting or in the community, staff shall ensure the inmate is offered a follow up meeting with a medical or mental health practitioner within 14 days at no cost to the inmate. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental practitioners and other staff as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. Medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18."

(b) The Cherokee County Jail PAQ states all Inmates who have previously perpetrated sexual abuse, as indicated during the screening pursuant to § 115.41, are offered a follow-up meeting with a mental health practitioner. All Inmates are allowed a follow-up meeting offered within 14 days of the intake screening. In the past 12 months, one offender, 100 percent of inmates who perpetrated sexual abuse were offered a follow up meeting with a mental health practitioner. Policy compliance can be found in provision (a) of this standard.

(d) The Cherokee County Jail PAQ states, Information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners. Policy compliance can be found in provision (a) of this standard.

	<p>(e) The Cherokee County Jail PAQ states, Medical and mental health practitioners do not 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. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Contract LPN 2. Sergeant / PREA Coordinator 3. Jail Administrator / PREA Compliance Manager <p>Interviews with the LPN demonstrated she was aware of access to emergency medical and mental health services upon receipt of an allegation of sexual abuse. The Jail Administrator stated mental health services would be secured through the Spring River Mental Health agency upon receipt of an allegation of sexual abuse.</p> <p>Site Observation:</p> <p>The facility has not experienced the need for emergency medical and or mental health services in the past 12 months.</p> <p>(a) The Cherokee County Jail PAQ states Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgment. Medical and mental health staff maintain secondary materials (e.g., form, log) documenting the</p>

timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 7, section 5., 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. If no qualified medical or mental health practitioners are on duty at the time a report of abuse is made, security 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. 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 professional accepted standards of care, where medically appropriate. Treatment services shall be provided to the victim without financial costs and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident."

(b) The Cherokee County Jail PAQ states inmate If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical and mental health practitioners. Policy compliance can be found in provision (a) of this standard.

(c) The Cherokee County Jail PAQ states inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 7, section 5., states, "The facility shall 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. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfers to, or placement in, other facilities, or their release from custody. The facility shall provide such victims with medical and mental

	<p>health services consistent with the community level of care. Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the conduct described above, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services. Inmate victims of sexual abuse while incarcerated shall be offered test for sexually transmitted infections as medically appropriate. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.”</p> <p>(d) The Cherokee County Jail PAQ states treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.</p> <p>Cherokee County Sheriff’s Office Policy CKJ 315 PREA, page 7, section 4., states, “Inmates are encouraged to report all allegations of sexual abuse and/or sexualized behavior regardless of when the incident occurred. Access to services for the victim of sexual abuse will not be dependent on their willingness to report allegations or provide testimony. Reporting of alleged sexual abuse by inmates is critical to the timely delivery of necessary services to the victim and to holding perpetrators accountable and less likely to reoffend. All such reports will be investigated within the limitations of information provided and the willingness of inmates and/or others to provide testimony. When the victim of a PREA incident can be identified, they will be offered access to necessary services available through the Cherokee County Sheriff’s Office and its community partners at no cost to the inmate/victim.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff’s Office Policy CKJ 315 PREA, dated 7.1.2013

Interviews:

1. Contract LPN
2. Jail Administrator / PREA Compliance Manager

Interviews with medical and administrative staff demonstrated a continuum of medical and mental health treatment would continue after allegations of sexual abuse. The LPN stated she would consult with the attending physician when creating and evaluation or providing medical care once returned from a hospital attending physician. As stated previously, the Jail Administrator would ensure mental health services would be provided through Spring River Mental Health Services.

On Site Observation:

The facility has not experienced the need for emergency medical and or mental health services in the past 12 months.

(a-c) The Cherokee County Jail PAQ states the facility offers 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.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 8., section 6., states, "The facility shall 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. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfers to, or placement in, other facilities, or their release from custody. The facility shall provide such victims with medical and mental health services consistent with the community level of care. Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the conduct described above, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services. Inmate victims of sexual abuse while incarcerated shall be offered test for sexually transmitted infections as medically appropriate. 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."

(d) The Cherokee County Jail PAQ states female victims of sexual abusive vaginal penetration while incarcerated are offered pregnancy tests. Policy compliance can be found in provision (a-c) of this standard.

(e) The Cherokee County Jail PAQ states if pregnancy results from sexual abuse while incarcerated, victims receive timely and comprehensive information about, and timely access to, all lawful pregnancy-related medical services. Policy compliance can be found in provision (a-c) of this standard.

(f) The Cherokee County Jail PAQ states inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. Policy compliance can be found in provision (a-c) of this standard.

(g) The Cherokee County Jail PAQ states treatment services are 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. Policy compliance can be found in provision (a-c) of this standard.

(h) The Cherokee County Jail PAQ states they attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners. Policy compliance can be found in provision (a-c) of this standard.

Through such reviews, the facility meets the standard requirements.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Sergeant / Administrative Investigator

2. Detective / Criminal Investigator
3. Jail Commander / PREA Compliance Manager
4. Sheriff

The team on-site were aware of the requirements to document and safeguard investigations of sexual abuse. The team completes a sexual abuse incident review by examining interview outcomes, the area of the allegation, written statements, group dynamics and policy review.

Site Observation:

The facility did not have any unsubstantiated or substantiated investigations of sexual abuse in the past 12 months.

(a) The Cherokee County Jail PAQ states the facility conducts a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse investigation, unless the allegation has been determined to be unfounded. In the past 12 months there has been one investigations of alleged sexual abuse completed within in 30 days.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 8., section Case Review, states, "At the conclusion of any investigation into allegations of sexual abuse or misconduct, the Captain Detective, Jail Administrator, Assistant Jail Administrator, Sheriff and any others deemed appropriate by the Sheriff will convene to review the case, and make determinations on any policy, training, or facility modifications are needed.

On an annual basis, the PREA Coordinator shall aggregate, in a manner that will facilitate the Cherokee County Sheriff's Office's ability to detect possible patterns and help prevent future incidents, the incident-based sexual abuse data, including the number of reported sexual abuse allegations determined to be substantiated, unsubstantiated, or unfounded, or for which investigation is ongoing, and for each incident found to be substantiated, information concerning:

1. The date, time, location, and nature of the incident;
2. The demographic background of the victim and perpetrator (including citizenship, age, gender, and whether either has self-identified as gay, lesbian, bisexual, transgender, intersex, or gender nonconforming);
3. The reporting timeline for the incident (including the name of individual who

reported the incident, and the date and time the report was received);

4. Any injuries sustained by the victim;

5. Post-report follow up responses and action taken by the Cherokee County Sheriff's Office (e.g., housing placement/custody classification, medical examination, mental health counseling, etc.); and

6. Any sanctions imposed on the perpetrator.”

(b) The Cherokee County Jail PAQ states sexual abuse incident reviews are ordinarily conducted within 30 days of concluding the criminal or administrative investigation. In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only unfounded” incidents were one.

Cherokee County Sheriff's Officer Law Enforcement Policy CKJ 216 Sexual Misconduct Investigations, page 8., section Case Review, first sentence, states, “Within 30 days of the conclusion of any investigation into allegations of sexual abuse or misconduct, the Captain Detective, Jail Administrator, Assistant Jail Administrator, Sheriff and any others deemed appropriate by the Sheriff will convene to review the case, and make determinations on any policy, training, or facility modifications are needed.”

(c) The Cherokee County Jail PAQ states the sexual abuse incident review team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners. Policy compliance can be found in provision (a) of this standard.

(d) The Cherokee County Jail PAQ states the facility prepares a report of its findings from sexual abuse incident reviews, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1) -(d)(5) of this section, and any recommendations for improvement and submits such report to the facility head and PREA Compliance Manager. Policy compliance can be found in provision (a) of this standard.

(e) The Cherokee County Jail PAQ states, the facility implements the recommendations for improvement or documents its reasons for not doing so. Policy compliance can be found in provision (a) of this standard.

Through such reviews, the facility meets the standard requirements.

115.87 Data collection

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Office Policy CKJ 315 PREA, dated 7.1.2013
3. Cherokee County Sheriff's Office Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014
4. 2022 Cherokee County Sheriff's Office PREA: Reported Incident List

Interviews:

1. Sergeant / PREA Coordinator
2. Jail Administrator / PREA Compliance Manager
3. Sheriff

The interview with the administrative team demonstrated the agency reviews all incident reports of sexual harassment and sexual abuse, staff and inmates involved in allegations, compile year end reports, and investigations referred for criminal prosecution and look for common trends. The agency focuses on areas to address in the past year and identifies areas needing corrective action and would recommend and implement recommendations to ensure safety within the facility.

(a) The Cherokee County Jail PAQ states the agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.

Cherokee County Sheriff's Office Policy CKJ 315 PREA, page 9, section i., states, "Coordinate with facility staff to compile information collection directly from the inmate population by means of various survey methods, which relate to the prevalence of sexual abuse and/or sexual activity within the facility, in order to provide insight into potential strategies for its reduction or elimination."

The facility provided a 2022 Cherokee County Sheriff's Office PREA: Reported Incident List. The document includes the following information.

- Inmate Name
- Date Reported
- Primary Investigator Assigned
- Date Completed
- Disposition

(b) The Cherokee County Jail PAQ states the agency aggregates the incident-based sexual abuse data at least annually.

(c) The Cherokee County Jail PAQ states the standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.

(d) The Cherokee County Jail PAQ states the agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Cherokee County Sheriff's Office Policy CKJ 216 Sexual Misconduct Investigations, page 9, section, Case Review, states, "At the conclusion of any investigation into allegations of sexual abuse or misconduct, the Captain Detective, Jail Administrator, Assistant Jail Administrator, Sheriff and any others deemed appropriate by the Sheriff will convene to review the case, and make determinations on any policy, training, or facility modifications are needed.

On an annual basis, the PREA Coordinator shall aggregate, in a manner that will facilitate the Cherokee County Sheriff's Office's ability to detect possible patterns and help prevent future incidents, the incident-based sexual abuse data, including the number of reported sexual abuse allegations determined to be substantiated, unsubstantiated, or unfounded, or for which investigation is ongoing, and for each incident found to be substantiated, information concerning:

1. The date, time, location, and nature of the incident;
2. The demographic background of the victim and perpetrator (including citizenship, age, gender, and whether either has self-identified as gay, lesbian, bisexual, transgender, intersex, or gender nonconforming);
3. The reporting timeline for the incident (including the name of individual who

	<p>reported the incident, and the date and time the report was received);</p> <p>4. Any injuries sustained by the victim;</p> <p>5. Post-report follow up responses and action taken by the Cherokee County Sheriff's Office (e.g., housing placement/custody classification, medical examination, mental health counseling, etc.); and</p> <p>6. Any sanctions imposed on the perpetrator.”</p> <p>(e) The Cherokee County Jail PAQ states the agency does not obtains incident-based and aggregated data from every private facility as they do not contract for the confinement of its inmates as the agency does not have private contracts.</p> <p>(f) The Cherokee County Jail PAQ states the Department of Justice has not requested agency data for the previous calendar year.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Cherokee County Jail PAQ 2. 2022 PREA Annual Report <p>(a) The Cherokee County Jail PAQ states the agency reviews data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training, including:</p> <ul style="list-style-type: none"> · Identifying problem areas; · Taking corrective action on an ongoing basis; and · Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole.

(b) The Cherokee County Jail PAQ states the annual report includes a comparison of the current year's data and corrective actions to those from prior years. The annual report provides an assessment of the agency's progress in addressing sexual abuse.

The facility provided a 2022 PREA Report. The report contains the following information.

- Cherokee County Sheriff's Office devotion to PREA compliance and implementation of required corrective action.
- Data collection
- Annual comparison data
- Identifying Problem Areas years 2019-2022
- Taking corrective Action on an Ongoing Basis

The annual report is signed by the Sheriff of Cherokee County.

(c) The Cherokee County Jail PAQ states the agency makes its annual report readily available to the public, at least annually, through its website. Annual reports are approved by the agency head. Policy compliance can be found in provision (a) of this standard.

Annual reports can be found on the agency website at www.cherokeeountykssheriff.com.

(d) The Cherokee County Jail PAQ states when the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility. The agency indicates the nature of material redacted.

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Cherokee County Jail PAQ
2. Cherokee County Sheriff's Office Policy CKJ 216 Sexual Misconduct Investigations, dated 3.15.2014

(a) The Cherokee County Jail PAQ states the agency ensures that incident-based and aggregate data are securely retained.

Cherokee County Sheriff's Office Policy CKJ 216 Sexual Misconduct Investigations, page 8, section 20., states, "The Cherokee County Sheriff's Office shall ensure that data collected is securely retained. The Cherokee County Sheriff's Office shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website, www.cherokeecountykssherriff.com. Before making aggregated sexual abuse data publicly available, The Cherokee County Sheriff's Office will redact all personal identifiers. The Cherokee County Sheriff's Office shall maintain sexual abuse data collected for at least 10 years after the date of initial collection unless Federal, State, or local law requires otherwise."

(b) The Cherokee County Jail PAQ states agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website at www.cherokeecountykssherriff.com

(c-d) The Cherokee County Jail PAQ states before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers. The agency maintains sexual abuse data collected pursuant to §115.87 for at least 10 years after the date of initial collection, unless federal, state, or local law requires otherwise. Policy compliance can be found in provision (a) of this standard.

Through such reviews, the facility meets the standard requirements.

	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>(a) During the prior three-year audit period, the agency ensured that each facility operated was audited, once.</p> <p>(b) This is the second audit cycle for Cherokee County Sheriff’s Office and the first year of the fourth audit cycle.</p> <p>(h) The Auditor was granted complete access to, and the ability to observe, all areas of the facility.</p> <p>(i) The Auditor was permitted to request and receive copies of any relevant documents (including electronically stored information).</p> <p>(m) The Auditor was permitted to conduct private interviews with residents.</p> <p>(n) Residents permitted to send confidential information or correspondence to the Auditor in the same manner as if they were communicating with legal counsel.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

<p>115.403</p>	<p>Audit contents and findings</p>
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>(b) The agency has posted the current 2019 PREA audit report, on their website.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Appendix: Provision Findings		
115.11 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
115.11 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
115.11 (c)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	na
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	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.)	na
115.12 (b)	Contracting with other entities for the confinement of inmates	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure	na

	that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	
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	yes

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

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

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

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

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
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	yes

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

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

	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	na
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
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.)	na
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	na
115.22 (a)	Policies to ensure referrals of allegations for investigations	

	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	na
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?	no
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	yes

	Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
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	yes

	suspicious of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	
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.)	no
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.)	na
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	na
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	yes

	screening instrument?	
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)	yes

	Whether the inmate is detained solely for civil immigration purposes?	
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	yes

	information is not exploited to the inmate's detriment by staff or other inmates?	
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	yes

	present management or security problems?	
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	yes

	solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	
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	yes

	anonymous upon request?	
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	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	yes

	this standard.)	
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
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,	yes

	including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
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	yes

	abuse or sexual harassment or retaliation?	
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	yes

	response to an incident of sexual abuse?	
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	yes

	sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
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	yes

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

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

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

	abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	
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	yes

	evidence sufficient to substantiate the allegation?	
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	yes

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

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

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

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

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

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

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