

PREA Facility Audit Report: Final

Name of Facility: Marshall County Jail

Facility Type: Prison / Jail

Date Interim Report Submitted: 01/17/2024

Date Final Report Submitted: 07/14/2024

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
Auditor Full Name as Signed: Chris Sweney	Date of Signature: 07/14/2024

AUDITOR INFORMATION	
Auditor name:	Sweney, Chris
Email:	csweney.prea@gmail.com
Start Date of On-Site Audit:	12/04/2023
End Date of On-Site Audit:	12/05/2023

FACILITY INFORMATION	
Facility name:	Marshall County Jail
Facility physical address:	2369 Jessup Avenue, Marshalltown, Iowa - 50158
Facility mailing address:	

Primary Contact

Name:	Patrick White
Email Address:	pwhite@marshallcountya.gov
Telephone Number:	6417546380

Warden/Jail Administrator/Sheriff/Director	
Name:	Patrick White
Email Address:	pwhite@marshallcountya.gov
Telephone Number:	6417546380

Facility PREA Compliance Manager	
Name:	Patrick White
Email Address:	pwhite@marshallcountya.gov
Telephone Number:	O: 641-754-6380

Facility Characteristics	
Designed facility capacity:	182
Current population of facility:	115
Average daily population for the past 12 months:	133
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	18-60
Facility security levels/inmate custody levels:	minimum, medium, maximum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the	33

facility who may have contact with inmates:	
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	2
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	7

AGENCY INFORMATION	
Name of agency:	Marshall County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	2369 Jessup Ave, Marshalltown, Iowa - 50158
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
Name:	Christy Kelly	Email Address:	ckelly@marshallcountya.gov

Facility AUDIT FINDINGS
Summary of Audit Findings
The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

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

Number of standards exceeded:

0

Number of standards met:

45

Number of standards not met:

0

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2023-12-04
2. End date of the onsite portion of the audit:	2023-12-05

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	ACCESS - Assault Care Center - (800) 203-3488 https://www.assaultcarecenter.or

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	182
15. Average daily population for the past 12 months:	133
16. Number of inmate/resident/detainee housing units:	7
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:	117
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:	2
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:	0
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:	1

<p>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:</p>	<p>1</p>
<p>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:</p>	<p>0</p>
<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>0</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>33</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>0</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>1</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>
<p>INTERVIEWS</p>	
<p>Inmate/Resident/Detainee Interviews</p>	
<p>Random Inmate/Resident/Detainee Interviews</p>	
<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>18</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<p> <input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None </p>

<p>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</p>	<p>The auditor conducted interviews with random and targeted inmates. The in-house inmate population on the first day of the onsite review was 117. All reasonable efforts were made to conduct the required number of targeted inmate interviews. The auditor selected additional inmates from the available targeted populations and increased the number of random inmate interviews to ensure that the appropriate numbers of inmates were interviewed. There was a total of 20 formal inmate interviews conducted. The auditor selected inmates randomly by using a full roster provided at the beginning of the on-site review. Interviews were conducted with at least one inmate for each living area of the facility and included both male and female inmates.</p>
<p>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>No text provided.</p>
<p>Targeted Inmate/Resident/Detainee Interviews</p>	
<p>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>2</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:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported no Inmates with physical disabilities. This was verified during the tour of the facility and confirmed during staff and inmate interviews.</p>
<p>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>

<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported no Inmates who are Blind or have low vision. This was verified during the tour of the facility and confirmed during staff and inmate interviews.</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>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported no Inmates who are Deaf or hard-of-hearing. This was verified during the tour of the facility and confirmed during staff and inmate interviews.</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>The facility reported no Inmates who are Limited English Proficient (LEP). This was verified during the tour of the facility and confirmed during staff and inmate interviews.</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>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported no Inmates who identify as lesbian, gay, or bisexual. This was verified during the tour of the facility and confirmed during staff and inmate interviews.</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>1</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>The facility reported there were no Inmates currently in the facility who reported sexual abuse during the audit period. This was verified during the tour of the facility and confirmed during staff interviews.</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>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported no Inmates who disclosed prior sexual victimization during their risk screening. This was verified while reviewing intake documentation and confirmed by facility staff during their interviews.</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported no Inmates who were placed in segregated housing/isolation for risk of sexual victimization. This was verified during the tour of the facility and confirmed during staff and inmate interviews.</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>No text provided.</p>
<p>Staff, Volunteer, and Contractor Interviews</p>	
<p>Random Staff Interviews</p>	
<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>7</p>

<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>a. Select the reason(s) why you were unable to conduct the minimum number of RANDOM STAFF interviews: (select all that apply)</p>	<p><input type="checkbox"/> Too many staff declined to participate in interviews.</p> <p><input type="checkbox"/> Not enough staff employed by the facility to meet the minimum number of random staff interviews (Note: select this option if there were not enough staff employed by the facility or not enough staff employed by the facility to interview for both random and specialized staff roles).</p> <p><input checked="" type="checkbox"/> Not enough staff available in the facility during the onsite portion of the audit to meet the minimum number of random staff interviews.</p> <p><input type="checkbox"/> Other</p>
<p>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):</p>	<p>No text provided.</p>

Specialized Staff, Volunteers, and Contractor Interviews

Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.

75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	9
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 type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

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

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

	<input type="checkbox"/> Other
81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	<input type="radio"/> Yes <input checked="" type="radio"/> No
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:	1
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 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?

Yes

No

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

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

Yes

No

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

Yes

No

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

Yes

No

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

Yes

No

<p>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>No text provided.</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	1	0	1	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	1	0	1	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	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	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	1	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	1	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	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:	1
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<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 checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p>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>1</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 type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>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 type="radio"/> No</p> <p><input checked="" 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 type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
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Sexual Harassment Investigation Files Selected for Review

<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
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<p>a. Explain why you were unable to review any sexual harassment investigation files:</p>	<p>Marshall County reported zero sexual harassment investigations during the audit period. This was verified during staff and inmate interviews.</p>
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<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 type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
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Inmate-on-inmate sexual harassment investigation files

<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
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<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
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<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>Staff-on-inmate sexual harassment investigation files</p>	
<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>No text provided.</p>

SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

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

- Yes
 No

Non-certified Support Staff

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>The Marshall County Jail provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ - PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview <p>The PREA Coordinator indicated he has enough time to manage all of their PREA related responsibilities. The PREA Coordinator stated he meets regularly with the Sheriff and has sufficient authority to implement changes as needed. The PREA Coordinator handles day to day PREA related issued and consults regularly with the Sheriff.</p> <p>Site Review Observations:</p>

1. Observations during on-site review of physical plant

(a) Marshall County Jail (MCJ) has a written policy mandating zero tolerance relating to sexual assault and sexual harassment.

“The Marshall County Sheriff’s Office Jail Division is committed to the safety of anyone confined to the custody of the jail facility. Marshall County Jail has a zero-tolerance standard for sexual abuse or sexual harassment involving inmate on inmate behaviors and staff on inmate behaviors. Marshall County Jail will respond to all reports of sexual behaviors or abuse as nonconsensual, regardless of perception, rumor, appearance, or participant disclosure. Marshall County Jail will also strive to protect the Eighth Amendment rights of Federal, State and local offenders who are housed in this facility. Federal Prison Rape Elimination Act (PREA), 2003; Standards for the Prevention Detection, Response, and Monitoring of Sexual Abuse in Adult Prisons and Jails”.

(b) The agency has a designated PREA Coordinator who reports directly to the Sherriff. However, the job duties and responsibilities are not indicated in the department’s organizational structure. During the PREA Coordinator interview, he stated that as the PREA Coordinator he has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards.

Corrective Action

115.11(b) Please provide written documentation indicating who the PREA Coordinator is. (Organizational Chart or Memo)

Update:

As of June 17th Marshall County has provided documentation indicating who the PREA Coordinator is and updated their Organizational Chart.

The Auditor conducted a thorough review of the agency’s policies and procedures, Organizational Chart, and interviewed staff and inmates. The Auditor determined the agency has developed an appropriate zero tolerance policy which includes prevention, detection and response techniques to all allegations of sexual abuse and sexual harassment. An appropriate staff member has been designated to develop, implement, and oversee the agency’s and facility’s PREA efforts. The Marshall County Jail has successfully created a zero-tolerance culture towards all forms of sexual abuse and sexual harassment. The Auditor determined the facility's Zero-Tolerance culture has resonates with staff and inmates. The Marshall County Jail maintains one facility and has appointed a PREA Coordinator and PREA Compliance Manager. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

The Auditor conducted a thorough review of the agency’s policies and procedures, Organizational Chart, and interviewed staff and inmates. The Auditor determined the agency has developed an appropriate zero tolerance policy which includes prevention, detection and response techniques to all allegations of sexual abuse and

	<p>sexual harassment. An appropriate staff member has been designated to develop, implement, and oversee the agency's and facility's PREA efforts. The Marshall County Jail has successfully created a zero-tolerance culture towards all forms of sexual abuse and sexual harassment. The Auditor determined the facility's Zero-Tolerance culture has resonates with staff and inmates. The Marshall County Jail maintains one facility and has appointed a PREA Coordinator and PREA Compliance Manager. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.12	Contracting with other entities for the confinement of inmates
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <p>1. Pre-Audit Documentation</p> <p>Interviews:</p> <p>1. Jail Administrator/PREA Compliance Manager Interview</p> <p>During interviews with the Jail Administrator/PREA Compliance Manager he indicated that they do not contract with other agencies to house their inmates.</p> <p>Site Review Observations:</p> <p>1. Observations during on-site review of physical plant</p> <p>(a) Auditor was provided documentation and confirmed during interviews that the MCJ does not contract with any other county or entity including other government agencies for housing.</p> <p>(b) Auditor was provided documentation and confirmed during interviews that the MCJ does not contract with any other county or entity including other government agencies for housing.</p> <p>The Auditor reviewed the agency's PREA policy and interviewed staff. The agency has an appropriate policy to ensure new contracts and revisions of contracts for the confinement of MCJ inmates include provisions to comply with this standard. The Auditor determined the Marshall County Jail meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.13	Supervision and monitoring
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ – PREA Policy #300 - 90 2. MCJ – Security and Control Supervisor’s Floor Checks 3. MCJ Supervisor’s “notice book”. <p>Interviews</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview 2. Intermediate Supervisor Interviews 3. Random Inmate Interviews. <p>Interviews with the Jail Administrator/PREA Compliance Manager confirmed that the Marshall County Jail has developed a staffing plan and has adopted generally accepted detention and correctional practices and that any drop below minimum staffing is reported to facility leadership.</p> <p>Interviews with supervisors confirmed that unannounced rounds are done on all shifts at varied times. Both indicated that rounds are documented in the “Supervisor’s “notice book”.</p> <p>Random inmate interviews confirmed that they regularly see supervisors in the housing units and other areas in the facility.</p> <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <ol style="list-style-type: none"> (a) The MCJ staffs its facility based on generally accepted detention and correctional practices. However, the MCJ did not provide documentation of an annual assessment which includes all requirements of the PREA standard. Iowa State statute mandates that female staff is on duty at all times. Since their last PREA audit, the average daily number of inmates was 116. Since their last PREA audit, the average daily number of inmates on which the staffing plan was predicated was 0 (b) The MCJ does not deviate from the staffing plan. This was discussed and confirmed during the interview with the Jail Administrator/PREA Compliance Manager.

(c) The MCJ reported there were no deviations from their staffing plan in the last 12 months.

(d) MCJ policy states that *“On all shifts the supervisor on-duty will make an inspection of all areas in the Marshall County Jail during their shift.*

These inspections shall be documented in the supervisor’s “notice book”. It shall reflect the time of the inspection and any remarks or information necessary for any on-coming shifts, or to be brought to the attention of the administrative staff.”

(e) MCJ policy states that:

“Staff is prohibited from alerting other staff members when the jail shift supervisor or designee is conducting these unannounced rounds.”

The MCJ provided copies of their supervisor’s “notice book” which shows this as a regular practice.

Corrective Action:

(d) The WCC staffs its facility based on generally accepted detention and correctional practices. However, the WCC did not provide documentation of an annual assessment which includes all requirements of the PREA standard.

Please provide a staffing plan which includes (1) Generally accepted detention and correctional practices; (2) Any judicial findings of inadequacy; (3) Any findings of inadequacy from Federal investigative agencies; (4) Any findings of inadequacy from internal or external oversight bodies; (5) All components of the facility’s physical plant (including “blind-spots” or areas where staff or inmates may be isolated); (6) The composition of the inmate population; (7) The number and placement of supervisory staff; (8) Institution programs occurring on a particular shift; (9) Any applicable State or local laws, regulations, or standards; (10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and (11) Any other relevant factors.

Update:

As of June 17th 2024, Marshall County has provided an updated staffing plan and plan review meeting the requirements of this standard.

The Auditor concluded the facility has an adequate staffing plan to ensure the protection of inmates from sexual abuse. The Auditor reviewed policies, procedures, the Staffing Plan, Staffing Plan Review, facility logbooks, shift rosters, made observations, and conducted interviews with staff and inmates. The facility conducts an annual staffing plan review as required by this standard. The Auditor determined the agency meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.14 Youthful inmates

Auditor Overall Determination: Meets Standard

Auditor Discussion

The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

- 1. MCJ - Juveniles Policy
- 2. MCJ - SECURITY AND CONTROL ADULT WAIVED JUVENILE CELLS

Interviews:

- 1. Jail Administrator/PREA Compliance Manager Interview

During the interview with the Jail Administrator/PREA Compliance Manager he indicated that Juvenile Inmates housed at the MCJ would be housed separate from adult inmates and that sufficient space is available to keep Juvenile inmates separate in all areas of the facility.

Site Review Observations:

- 1. Observations during on-site review of physical plant

(a) MCJ policy requires that "Juveniles shall not be booked into the jail at the same time as adult inmates. In the event an adult and a juvenile are arrested together the juveniles shall be held in a holding cell while the adult is being booked.

All juveniles held shall not be exposed to adult inmates during any activity or daily routines

Juveniles held within the jail shall be afforded the same privileges as adult inmates

In the past 12 months, the number of housing units to which youthful inmates were assigned that provide sight and sound separation between youthful and adult offenders in dayrooms, common areas, showers, and sleeping quarters was zero (0).

In the past 12 months, the number of youthful inmates placed in SAME HOUSING UNIT as adults at this facility was zero (0).

(b) The MCJ, as much as possible, maintains sight and sound separation in areas outside of housing units. The MCJ provides direct staff supervision when youthful and adult inmates may be in the same area.

(c) The MCJ avoids placing youthful inmates in isolation as a general practice. Youthful inmates are provided daily exercise and legally required special education services and have access to other programs when available.

	<p>In the past 12 months, the number of youthful inmates who have been placed in isolation in order to separate them from adult inmates was zero (0).</p> <p>During the onsite visit there were no youthful inmates confined at the MCJ.</p> <p>The Auditor reviewed MCJ policies, procedures, population reports, interviewed staff and inmates, and made observations to determine the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p> <p>Recommendation:</p> <p>Add specific language stating:</p> <p>A youthful inmate shall not be placed in a housing unit in which the 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.</p> <p>In areas outside of housing units, MCJ shall either: (1) maintain sight and sound separation between youthful inmates and adult inmates, or (2) provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact.</p> <p>MCJ shall make its best efforts to avoid placing youthful inmates in isolation to comply with this provision. Absent exigent circumstances, agencies shall not deny youthful inmates daily large-muscle exercise and any legally required special education services to comply with this provision. Youthful inmates shall also have access to other programs and work opportunities to the extent possible.</p>
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115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300 - 90 2. MCJ Searches of Inmates and Various Locations <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview

2. Random Staff Interviews
3. Random Inmate Interviews

The Jail Administrator indicated during his interview that he meets with transgender inmates to determine their preference of staff to be searched by.

Random staff interviews reiterated that they have not conducted cross-gender strip searches or cross gender visual body cavity searches. Staff interviews confirmed that they announce themselves or will announce staff of a different gender prior to entering the housing unit

Random inmate interviews confirmed they have not been strip searched or visual body cavity searched by a staff member of the opposite sex. Inmate interviews indicated that announcements by staff are being made when staff enter housing areas.

Interviews with random female inmates stated that “pat down searches are always conducted by female staff and they have access to regularly available programming which includes out of cell opportunities”.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) MCJ policy states staff will not conduct cross-gender strip searches or cross gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners. Per policy, all strip searches are documented.

In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity searches of inmates was zero (0).

(b) Private areas were seen in Booking to conduct strip searches. Two staff are present for the searches, one conducts the search and one remains outside of the room. During the on-site there was a number of female staff available to conduct searches of female inmates. At least one female staff member is assigned to the facility at all times.

Pat-searches were observed during the onsite visit. Searches were conducted by appropriate staff, no issues were identified.

The number of pat-down searches of female inmates that were conducted by male staff was zero (0).

The number of pat-down searches of female inmates conducted by male staff that did not involve exigent circumstances was zero (0).

(c) The facility documents all strip searches however MCJ policy states staff will not conduct cross-gender strip searches or cross gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners.

	<p>(d) MCJ policy states the facility implements 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. Shower and toilet areas were observed in housing units and in booking. All had appropriate privacy screens and partitions. Camera views from control centers did not present any issues.</p> <p>MCJ Policy requires staff to announce their presence when entering housing units with inmates of a different gender. Additionally, postings were seen throughout the facility to make inmates aware that both male and female staff may enter their housing area.</p> <p>(e) MCJ policy states that inmates will not be searched or physically examined for the sole purpose of determining the genital status. If the inmate's genital status is unknown, the MCJ will initiate conversation with the inmate in a professional manner in a private setting in order to preserve confidentiality</p> <p>(f) MCJ policy states that unless an emergency or other special situation exists, pat searches should be conducted by staff of the same gender as the inmate. All staff is trained how to conduct searches of transgender and intersex inmates in a professional manner and in the least intrusive manner possible that is consistent with security needs.</p> <p>The Auditor concluded staff had been appropriately trained to conduct cross-gender searches and make opposite gender announcements when entering inmate housing units. Inmates can shower, change clothing, and use the restroom without nonmedical staff of the opposite gender seeing them do so. Staff has been trained to treat transgender and intersex inmates professionally and respectfully. The Auditor reviewed the agency's policies and procedures, training documents, shift rosters, made observations, and interviewed staff and inmates and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ - PREA Policy #300-90 2. MCJ Inmate Handbook (English/Spanish)

3. Language Line

Interviews:

1. Booking and Classification Staff Interviews
2. Random Staff Interviews
3. Random Inmate Interviews

During interviews with random staff, they stated each inmate is provided PREA information upon arrival. Booking and Classification staff were asked how the facility ensures inmates who are disabled or do not speak English benefit from the agency's information and education. Staff stated they have access to a language hotline for translation services. Phone numbers for Language Line were posted in booking and the medical office.

Random staff were asked about the use inmate interpreters. Each stated they do not use inmates to interpret information to inmates. Staff informed the auditor they have select staff who are bilingual and have access to an interpretation service by phone.

During random inmate interviews inmates were asked if they were aware of any inmates that they felt could not report something for themselves due to mental health issues, disabilities (Deaf or Blind) or could not speak English. All stated they were unaware of any inmates like that.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) MCJ Policy states:

1. The following procedures have been established by the Marshall County Sheriff's Office Jail Division to provide disabled inmates 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. All inmate education materials will be in formats accessible to all inmates in accordance with Title II of the Americans with Disabilities Act, 28 CFR 35.164. Formats include, but not limited to: [§115.16 (a)-1] [§115.16 (b)-1]

a) Interpreter services for the deaf or hard of hearing inmates.

b) Interpreter services for Non-English-speaking inmates.

c) Reading of the material, by staff, to inmates.

2. The agency will not rely on inmate interpreters, inmate readers or other types of inmate assistants except in limited circumstances, and must be fully documented, 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. [§115.16 (c)-1] [§115.16 (c)-2]

The Auditor reviewed the MCJ Intake Information. The information is provided to each inmate during the booking process. Inmate information is maintained in English and Spanish. The Auditor observed the agency's PREA posters in all facility areas. Agency posters include English and Spanish. In the event the facility receives an inmate who is blind or has low vision the facility ensures a staff member reads the PREA information to the inmate. Booking and Classification staff take appropriate steps to ensure an inmate with intellectual disabilities understands the agency's PREA information through a one on one session with the inmate.

Inmates who cannot read English or Spanish can benefit from the facility's PREA information through use of Language Line Services, Inc. The facility maintains a Language Line telephone in the intake area. The MCJ employs bilingual staff who can interpret for non-English speaking inmates. There is a TDD telephone located in booking so staff may communicate with deaf or hard of hearing inmates. The PREA video is available in both English and Spanish. Each inmate is required to sign the acknowledgement form after receiving facility information and education.

(b) The MCJ takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment.

(c) The MCJ refrains 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. Staff were interviewed and reaffirmed they would use Language Line Services, Inc. or another staff member to interpret with a limited English-speaking inmate.

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

Facility staff provided the auditor a tour of the facility. The auditor observed PREA posters and other material posted in housing units and various other common areas. All posted materials were maintained in English and Spanish. Additionally, inmate tablets and kiosks are also available in English and Spanish.

The auditor concluded the agency provides information that ensures equal opportunities to inmates who are disabled. The agency takes reasonable steps to provide inmates who are limited English proficient meaningful access to all aspects of the agency's prevention, detection and response policies towards sexual abuse and sexual harassment. The auditor conducted a review of MCJ policies, procedures, training form, interviewed staff and inmates and determined the agency meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.17	Hiring and promotion decisions
	<p data-bbox="256 188 959 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 266 544 300">Auditor Discussion</p> <p data-bbox="256 344 1465 412">The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <p data-bbox="320 479 724 512">1. MCJ PREA Policy #300-90</p> <p data-bbox="256 557 416 591">Interviews:</p> <p data-bbox="320 658 1139 692">1. Jail Administrator/PREA Compliance Manager Interview</p> <p data-bbox="256 736 1465 848">During his interview, the Jail Administrator/PREA Compliance Manager indicated that background checks are completed on all new staff however, new hires are not asked directly about prior allegations of sexual abuse.</p> <p data-bbox="256 893 628 927">Site Review Observations:</p> <p data-bbox="320 994 1107 1028">1. Observations during on-site review of physical plant</p> <p data-bbox="256 1072 1410 1140">(a) The MCJ conducts background investigations for new hires as well as for staff being considered for a promotion.</p> <p data-bbox="256 1184 1465 1252">(b) MCJ policy indicates that incidents of sexual abuse or harassment are considered when evaluating candidates for promotion.</p> <p data-bbox="256 1296 1465 1498">(c) MCJ policy states that before hiring new employees, who may have contact with inmates, the agency: consistent with Federal, State, and local law, make its best efforts to contact any prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.</p> <p data-bbox="256 1543 1465 1610">MCJ reported that in the past 12 months, the number of persons hired who may have contact with inmates who have had criminal background record checks was 11.</p> <p data-bbox="256 1655 1394 1722">(d) MCJ policy requires a criminal background records check before enlisting the services of any contractor who may have contact with inmates.</p> <p data-bbox="256 1767 1465 1879">MCJ reported that in the past 12 months, the number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates was 0</p> <p data-bbox="256 1924 1465 2036">(e) MCJ PREA policy requires criminal background records checks every five years of current employees and contractors who may have contact with inmates. However, it was indicated that this is not being done.</p>

(f) The MCJ does not currently have a process which asks 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

MCJ policy imposes upon employees a continuing affirmative duty to disclose any such misconduct.

(g) MCJ policy states material omissions regarding such misconduct, or the provision of materially false information, grounds for termination

The MCJ provides 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.

Corrective Action:

115.17 (e) - MCJ PREA policy requires criminal background records checks every five years of current employees and contractors who may have contact with inmates. However, it was indicated that this is not being done.

Develop a practice of conducting background checks of current staff every five years.

115.17 (f) - The MCJ does not currently have a process which asks 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

Develop a policy and practice which 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 and in any interviews or written self-evaluations conducted as part of reviews of current employees.

Update:

As of June 17th 2024, Marshall County has provide documentation indicating background checks are being completed on current employees every five years and new employees are being asked directly about past allegations of sexual abuse and harassment.

The auditor concluded the MCJ is taking appropriate steps to identify previous acts of sexual misconduct prior to hiring staff, enlisting the services of contractors, and before promoting staff members. The auditor conducted a thorough review of the agency's policies, procedures, employment records, forms, interviewed staff and determined the agency meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Facility Diagrams 2. Facility Tour <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager 2. PREA Coordinator <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <p>(a,b) The MCJ considers the effect of any new design, acquisition, expansion, or modification on the agency’s ability to protect inmates from sexual abuse. Since their last audit the MCJ expanded their booking area, including four temporary holding cells and program space. Line of site and ability to separate inmates were taken into consideration prior to construction.</p> <p>Protection of inmates from sexual abuse through the installation of electronic surveillance and other technology is continuously evaluated.</p> <p>The Jail Administrator/PREA Compliance Manager was aware of the PREA standard requiring his participation in considering the affects when designing new or updating existing facilities. The auditor has established the PREA Coordinator and PREA Compliance Manager considers design affects and camera placements to protect inmates from sexual abuse. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p>

1. MCJ - PREA Policy #300-90
2. MCJ - Crime Scene Processing & Evidence Collection Policy #200-15
3. MCJ - Procedure in the Event of a Sexual Assault

Interviews:

1. Jail Administrator/PREA Compliance Manager Interview
2. MCSO Investigator Interview

Random Staff Interviews

Interviews conducted with the Jail Administrator/PREA Compliance Manager and random staff reiterated that as requested by the victim, victim advocate, agency staff member, or community-based organization the victim will receive support through the forensic medical examination process and investigatory interviews. The victim advocate may also provide ongoing emotional support, crisis intervention, and referrals for other services

Random staff interviews show staff are trained and understand their responsibilities to preserve, collect and properly handle evidence.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) The Jail Administrator/PREA Compliance Manager is responsible for administrative investigations and follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence. All criminal investigations are referred to the Marshall County Sheriff's Office (MCSO) for investigation.

(b) MCJ protocol is appropriate for youth; however, the MCJ does not generally house youthful offenders.

(c) The MCJ offers all victims of sexual abuse access to forensic medical examinations, whether at an outside facility, without financial cost, where evidentiary or medically appropriate. Interviews with the PREA Coordinator reiterated that all victims of sexual abuse are offered forensic examinations. Forensic medical examinations are completed at Unity Point Medical Center by qualified Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).

The number of forensic medical exams conducted during the past 12 months was zero (0).

The number of exams performed by SANEs/SAFEs during the past 12 months was zero (0).

The number of exams performed by a qualified medical practitioner during the past

12 months was zero (0).

(d) The MCJ does not currently have an agreement to provide victims with advocacy services.

(e) The MCJ is responsible for administrative investigations and refers all criminal matters to the Marshall County Sheriff's Office.

(f) The auditor is not required to audit this provision

Corrective Action:

115.21 (d) - The MCJ does not currently have an agreement to provide victims with advocacy services.

The agency shall attempt to make available to the victim a victim advocate from a rape crisis center. If a rape crisis center is not available to provide victim advocate services, the agency makes available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member. Agencies shall document efforts to secure services from rape crisis centers. For the purpose of this standard, a rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault of all ages. The agency may utilize a rape crisis center that is part of a governmental unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a nongovernmental entity that provides similar victim services.

Updates:

As of 06/17/2024 Marshall County has provided documentation demonstrating their attempts to secure an MOU with their local rape crisis center.

The Auditor determined an appropriate uniform evidence protocol is used when collecting evidence following a sexual abuse incident. The MCJ forwards sexual abuse investigations to the MCSO that may include criminal charges. The MCJ has an MOU to provide inmates access to victim advocates from Family Resources. The facility ensures access to a Sexual Assault Nurse Exam, conducted by trained medical staff at Unity Point Medical Center. The Auditor reviewed the agency's policies, procedures, MOUs, investigative files and conducted interviews with investigators, victim advocates and medical personnel. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard

Auditor Overall Determination: Meets Standard

Auditor Discussion

The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ - PREA Policy #300-90

Interviews:

1. Jail Administrator/PREA Compliance Manager
2. MCSO Investigator Interview

During interviews with the Jail Administrator/PREA Compliance Manager and MCSO Investigator they indicated that they receive and investigate all allegations of sexual misconduct and refer criminal allegations to the MCSO.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) The MCJ ensures an administrative and criminal investigation are completed for all allegations of sexual abuse. The PREA Coordinator will receive all allegations and will refer criminal investigations to the MCSO to investigate. The PREA Coordinator is responsible for administrative investigations. Interviews conducted with the PREA Coordinator confirmed all administrative and criminal investigation is completed properly.

In the past 12 months, the number of allegations of sexual abuse and sexual harassment that were received was zero (0).

In the past 12 months, the number of allegations resulting in an administrative investigation was zero (0).

In the past 12 months, the number of allegations referred for criminal investigation was zero (0).

(b) The MCJ has a policy and practice in place that ensures that allegations of sexual abuse or sexual harassment are referred for investigation. The PREA Coordinator will receive the allegations and conduct administrative investigations. Allegations that involve criminal behavior are referred to the MCSO for investigation. The PREA Coordinator will assist the MCSO with the investigation as required.

During the audit it was found that the MCJ PREA Policy is not posted on their website.

The MCJ documents all referrals to the MCSO. The PREA Coordinator is responsible for completing the Investigation Log which includes a chronological order of events in the

investigation.

(d,e) Auditor is not required to audit these provisions

Corrective Action:

115.22 (b) - The agency shall have in place a policy 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. The agency publishes such policy on its website or, if it does not have one, makes the policy available through other means. The agency documents all such referrals.

Please publish your PREA policy on your website including who is responsible for conducting administrative and criminal investigations.

Update:

As of 06/17/2024 Marshall County has updated their website including who is responsible for conducting administrative and criminal investigations. (www.marshallcountysheriff.com)

The Auditor concluded the MCJ appropriately refers criminal allegations of sexual abuse and sexual harassment to the MCSO. The Auditor observed evidence the facility investigates all allegations of sexual abuse and sexual harassment. After reviewing agency policies, procedures, the MCJ website, investigative files and interviewing staff and inmates, the Auditor determined the agency meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none">1. MCJ PREA Powerpoint2. Iowa State Jail School Curriculum3. Staff Training Records <p>Interviews:</p>

1. Jail Administrator/PREA Compliance Manager Interview
2. PREA Coordinator Interview
3. Random Staff Interviews

During the Jail Administrator/PREA Compliance Manager and PREA Coordinator's interviews they explained that PREA training is provided before new staff, contact staff or volunteers can have contact with inmates and again twice a year.

Additionally, they explained that staff receive training to deal with both male and female inmates and sign for the information they receive.

Random staff were asked questions related to training topics listed in the agency's lesson plan. Staff appeared knowledgeable of all topics. Staff understood their responsibilities, understood the dynamics of sexual abuse and articulated common reactions of sexual abuse victims. Staff had been trained to avoid inappropriate relationships with inmates. Staff understood the agency's reporting requirements and how to comply with relevant laws. Additionally, security staff member understood their responsibilities as first responders.

Site Review Observations:

1. Observations during on-site review of physical plant

The MCJ provides all staff with training which includes:

1. The MCJ Zero-Tolerance policies concerning sexual misconduct
2. How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures
3. Inmates' right to be free from sexual abuse and sexual harassment
4. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment
5. The dynamics of sexual abuse and sexual harassment in confinement
6. The common reactions of sexual abuse and sexual harassment victims
7. How to detect and respond to signs of threatened and actual sexual abuse
8. How to avoid inappropriate relationships with inmates
9. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates
10. How to comply with relevant laws related to mandatory reporting

(b) MCJ staff receives training tailored to both male and female inmates, the facility houses male and female inmates and training records reviewed demonstrated a distinction in the training. All staff receives this training regardless of whether or not they are reassigned from another facility.

(c) All current employees who have contact with inmates have received training. A review of the staff training records and random staff interviews confirm training was

	<p>received. Staff sign that they have received and understand the information provided.</p> <p>(d) The MCJ has completion reports which verify they have received the training and understand the training they have received. Upon completion of the lesson plan, staff is required to complete a test over the material.</p> <p>The Auditor concluded the MCJ has appropriately trained staff and documented the employees' understanding of the training received. All facility staff interviewed were knowledgeable and retained the information provided through agency training efforts. The Auditor reviewed agency policies, procedures, lesson plans, training records, acknowledgement forms, and interviewed staff, and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 2. PREA Video 3. New Volunteer Orientation Sign Off <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager 2. PREA Coordinator 3. Contract Staff Interview (Kitchen) <p>During the Jail Administrator/PREA Compliance Manager and Sergeant/PREA Coordinator's interviews they explained that PREA training is provided before new staff, contract staff or volunteers can have contact with inmates and again every two years. Additionally, they explained that staff receive training to deal with both male and female inmates and sign for the information they receive.</p> <p>During interviews with contract staff. The Auditor asked if they had been provided training by the facility prior to having contact with inmates. Each informed the Auditor they attended an orientation prior to beginning work in the facility. The Auditor questioned regarding specific requirements of this standard to gain an understanding of the training provided to determine if the training was retained.</p>

Contractors were able to articulate their responsibilities under the agency's sexual abuse and sexual harassment policies, how to report allegations, and were aware of the agency's zero-tolerance policy.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) MCJ policy requires "All MCJ employees, contracted personnel, and volunteers who may have contact with inmates will receive instruction related to:

- The MCJ Zero-Tolerance policies concerning sexual misconduct
- How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures
- Inmates' right to be free from sexual abuse and sexual harassment
- The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment
- The dynamics of sexual abuse and sexual harassment in confinement
- The common reactions of sexual abuse and sexual harassment victims
- How to detect and respond to signs of threatened and actual sexual abuse
- How to avoid inappropriate relationships with inmates
- How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities

(a) All volunteers and contractors who have contact with inmates have been notified of the agency's zero-tolerance policy regarding sexual abuse and harassment.

Volunteers and contractors are informed how to report such incidents. 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 and their training is tailored during orientation.

The number of volunteers and contractors, who may have contact with inmates, who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response was 7

(b) MCJ volunteers and contract staff receives training tailored to the gender of the inmates, the facility houses male and female inmates and training records reviewed demonstrated a distinction in the training.

(c) The MCJ maintains documentation confirming that volunteers and contractors understand the training they have received. Upon receipt of the PREA information, volunteers and contractors are required sign and acknowledge they understand the material. A review of the volunteer and contract staff training records confirm training was received.

	<p>The Auditor concluded the agency provides appropriate training to volunteers and contract staff. The agency's training curriculum is appropriate to ensure compliance with this standard. The agency maintains documentation that volunteers and contractors have received training. The Auditor reviewed the agency's policies, training curriculum, training records, and interviewed contractors and volunteers and determined the agency meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.33	Inmate education
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 2. Inmate Handbook - Kiosk <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Coordinator Interview 2. Admissions and Classification Staff Interviews 3. Random Inmate Interviews <p>During interviews with intake staff who conduct the initial education and facility orientation they explained that initial education is provided to each inmate as they arrive at the facility and how accommodations can be made if needed. Specifically, information could be read to individuals who are blind or cannot read the information themselves. They also stated that materials were available in Spanish and that interpretive services are available if needed.</p> <p>During inmate interviews, most indicated they received PREA information during the intake process and signed for the information they received. Inmates also indicated that the PREA information is available on the kiosks.</p> <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <ul style="list-style-type: none"> (a) During the intake process, Inmates receive and sign MCJ's PREA/Medical Waiver Form which explains MCJ's zero-tolerance policy towards sexual abuse and sexual harassment, how to make a report, right to be free from abuse, harassment and

retaliation for reporting such conduct.

The number of inmates admitted during past 12 months who were given this information at intake is 1949.

(b) Within 30 days, inmates do not receive comprehensive PREA education by video or in person. This was addressed with the Jail Administrator.

The MCJ reported 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 0

(c) MCJ reported that all inmates receive PREA related materials including those transferred from another facility.

(d) Accommodations for inmates with special needs can be made if needed.

Specifically, information can be read to individuals who are blind or cannot read the information themselves. They also stated that materials were available in Spanish and that interpretive services are available through Language Line if needed. Signs including the PREA hotline are available in braille. Additionally, the MCJ Inmate Handbook is available in English and Spanish

(e) MCJ maintains documentation that inmates receive PREA education at intake in the inmate file. Ten (10) files were reviewed during the onsite audit. All files had documentation of the inmate's initial education however, no documentation of 30 comprehensive education was documented. This was discussed with the PREA Coordinator and leadership staff during the close out.

(f) MCJ provides additional educational materials in inmate housing units and common areas in the form of posters. Additionally, the facility has tablets and kiosks in all housing units that also have additional PREA information on them. The facility tour confirmed the existence of additional materials in housing units and common areas.

During the tour of the facility postings with reporting information were observed posted on walls in multiple locations, additional information was also available on tablets and kiosks.

Corrective Action:

Within 30 days, inmates must receive comprehensive PREA education in the Classification Unit before going to general population. However, it was determined that the 30-Day comprehensive education is not being completed.

Please provide policy language and completed documentation showing 30-day comprehensive education is being done as required by this standard.

	<p>Update</p> <p>As of 06/17/2024 Marshall County has provided policy language and completed documentation showing 30-day comprehensive education is being done as required by this standard.</p>
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115.34	Specialized training: Investigations
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview 2. MCSO Investigator Interview <p>The Jail Administrator/PREA Compliance Manager confirmed investigators have received additional training in accordance with their job responsibilities. However, training is not specific to confinement settings.</p> <p>The interview with the MCSO Investigator indicated he has significant training and experience to conduct all types of investigations including sexual abuse. However, training is not specific to confinement settings.</p> <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <p>(a) MCJ policy requires special training for staff who conduct sexual abuse investigations. Policy dictates the specialized training include the following topics:</p> <ul style="list-style-type: none"> • 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 and prosecution referral. <p>However, documentation provided did not indicate investigator training is specific to a confinement setting.</p>

	<p>Corrective Action:</p> <p>Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.</p> <p>Please provide training to Investigators 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>Update:</p> <p>As of 06/17/2024 Marshall County has provided documentation indicating Investigators receive training 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>The Auditor concluded the facility provides appropriate training to investigators that conduct sexual abuse investigations. The Auditor conducted a review of policies, procedures, training records, curriculum, and interviewed investigators and determined the agency is fully compliant with the requirements of this standard.</p>
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115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 2. Medical Staff training Documents <p>Interviews:</p> <ol style="list-style-type: none"> 1. Medical Staff Interviews <p>Medical staff interviews verified they receive training from the facility which includes how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence of sexual abuse, how to respond effectively and</p>

	<p>professionally to victims of sexual abuse and sexual harassment and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment.</p> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ policy ensures that all full- and part-time contract medical and mental health care practitioners who work regularly in its facilities have been trained in:</p> <ol style="list-style-type: none"> 1. how to detect and assess signs of sexual abuse and sexual harassment. 2. how to preserve physical evidence of sexual abuse, 3. how to respond effectively and professionally to victims of sexual abuse and sexual harassment 4. and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. <p>The number of all medical and mental health care practitioners who work regularly at this facility who received the training required by agency policy was 2</p> <p>(b) The portion of the standard is Not Applicable, all forensic exams would be conducted at Unity Point Medical Center. Staff interviews confirmed this information.</p> <p>(c) The MCJ maintains documentation that medical staff has received the training referenced in this standard. Training records were reviewed and compliance has been met.</p> <p>The Auditor concluded medical and mental health staff at the MCJ are appropriately trained. The facility maintains documentation that medical and mental health staff have received specialized medical training. The Auditor conducted a review of agency policies, procedures, training curriculum, training records, interviewed medical and mental health staff and determined the agency meets the requirements of this standard.</p>
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115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 2. MCJ Medical Intake Questions <p>Interviews:</p>

1. Jail Administrator/PREA Compliance Manager

Interviews with the Jail Administrator indicated that a Medical screening completed during the intake process asks questions about past victimization.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) The MCJ assesses all inmates during admission for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.

The auditor observed the intake and classification process during the onsite visit. The initial screening is done within the first hour of arrival.

(b) MCJ Policy requires: "The intake screening will take place within 72 hours of confinement at the facility. A reassessment of the inmate shall be completed any time following the inmate's confinement 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 72 hours or more and who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility was unknown.

(c) The PREA screening questions are part of the medical screening and were found to be insufficient to meet the requirements of the standard.

(d) The intake screening tool considers only the following criteria to assess inmates for risk of sexual victimization or abusiveness.

- Have you ever been sexually abused? If yes, did it occur while incarcerated?
- Have you ever sexually abused anyone?

(e) MCJ Policy does not require that within thirty (30) days from arrival at the facility, all inmate's will be reassessed to review the inmate's risk of victimization or abusiveness 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 and who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake was 0

(f) MCJ policy requires that All inmate's risk level shall 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.

(g) The MCJ policy states that inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to the risk screening questions. Interviews conducted with staff reiterated that inmates would be not disciplined for refusing to answer the screening questions.

(h) The MCJ has implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. That information is kept in a restricted area and only authorized staff can access the information. Information stored in the Jail Management System is password protected. Ten (10) file reviews were completed, Initial PREA Questions were found to be properly completed and filed.

Corrective Action:

115.41 (d) - The PREA screening questions are part of the medical screening and were found to be insufficient to meet the requirements of the standard.

The intake screening tool considers only the following criteria to assess inmates for risk of sexual victimization or abusiveness.

- **Have you ever been sexually abused? If yes, did it occur while incarcerated?**
- **Have you ever sexually abused anyone?**

Please develop and implement a screening assessment which includes all criteria listed in the standard.

The intake screening shall 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; (2) The age of the inmate; (3) The physical build of the inmate; (4) Whether the inmate has previously been incarcerated; (5) Whether the inmate's criminal history is exclusively nonviolent; (6) Whether the inmate has prior convictions for sex offenses against an adult or child; (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (8) Whether the inmate has previously experienced sexual victimization; (9) The inmate's own perception of vulnerability; and (10) Whether the inmate is detained solely for civil immigration purposes.

115.41 (f) - MCJ Policy does not require that within thirty (30) days from arrival at the facility, all inmate's will be reassessed to review the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.

Please update your policy to include a 30-day reassessment of all inmates and provide documentation reassessments are being completed.

Update:

As of 06/17/2024 Marshall County has provided documentation showing the development and use of both an intake screening and 30-day reassessment as required by this standard.

The MC asks screening questions to discover each inmates level of risk of sexual victimization or sexual predation during the intake process and again within 30 days. Additionally, reassessments are completed based upon any new additional information, an incident or referrals. The Auditor reviewed the agency's policies, procedures, Initial Classification and PREA Screenings, PREA Reassessment Forms, Inmate Files and interviewed staff and inmates. Based on the review and analysis of all of the available evidence, the auditor has determined the MCJ is fully compliant with this standard.

115.42 Use of screening information

Auditor Overall Determination: Meets Standard

Auditor Discussion

The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ PREA Policy #300-90
2. MCJ Medical Intake Questions

Interviews:

1. Jail Administrator/PREA Compliance Manager

The Auditor conducted interview with the Jail Administrator/PREA Compliance Manager and random staff. Prior to making housing placements they stated that screening information is reviewed to ensure inmates are protected from likely abusers.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) The PREA screening questions are part of the medical screening and were found to be insufficient to meet the requirements of the standard.

The intake screening tool considers only the following criteria to assess inmates for risk of sexual victimization or abusiveness.

- Have you ever been sexually abused? If yes, did it occur while incarcerated?

- Have you ever sexually abused anyone?

(b) The MCJ does make individualized determinations about how to ensure the safety of each inmate based on information gathered during the risk screening. Random staff interviews confirmed that all information gathered is used to ensure the safety of each inmate.

(c) When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, The MCJ determines the inmates housing assignment after review of the inmate records, assessments and an interview with the inmate.

(d) MCJ Policy requires that placement and programming assignments for each transgender or intersex inmate is reassessed monthly.

(e) MCJ staff meets with transgender or intersex individuals to discuss the inmate's own views with respect to his or her own safety and will give serious consideration when making facility and housing placement decisions and programming assignments.

(f) Transgender inmates at the MCJ are given the opportunity to shower separately from other inmates.

(g) The MCJ does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates. The MCJ does not have a dedicated unit or wing solely on the basis of identification or status.

Corrective Action:

115.42 (a) - The PREA screening questions are part of the medical screening and were found to be insufficient to meet the requirements of the standard.

The intake screening tool considers only the following criteria to assess inmates for risk of sexual victimization or abusiveness.

- **Have you ever been sexually abused? If yes, did it occur while incarcerated?**
- **Have you ever sexually abused anyone?**

Please develop and implement a screening assessment which includes all criteria listed in the standard.

The intake screening shall 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; (2) The age of the inmate; (3) The physical build of the inmate; (4) Whether the inmate has previously been incarcerated; (5) Whether the inmate's criminal history is exclusively

nonviolent; (6) Whether the inmate has prior convictions for sex offenses against an adult or child; (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (8) Whether the inmate has previously experienced sexual victimization; (9) The inmate's own perception of vulnerability; and (10) Whether the inmate is detained solely for civil immigration purposes.

Update:

As of 06/17/2024 Marshall County has provided documentation showing the development and use of both an intake screening and 30-day reassessment as required by this standard.

The Auditor concluded staff is making individualized determinations when assigning inmate's housing, bed, work, programming and education assignments. The MCJ has appropriate policies, procedures and practices in place to protect vulnerable inmates from those identified as potential sexual abusers. The Auditor conducted a thorough review of policies procedures, classification records, screening questions, made observations, interviewed staff and inmates and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ul style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ul style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview <p>Site Review Observations:</p> <ul style="list-style-type: none"> 1. Observations during on-site review of physical plant <p>(a) The MCJ reported that there were no inmates placed in involuntary segregation pursuant to sexual victimization. If an inmate risk screening identifies that they are high risk, there is a referral for a mental health review. An inmate can request to be taken out of protective custody. Interviews with the Jail Administrator/PREA</p>

	<p>Compliance Manager confirmed this practice.</p> <p>The number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment was (0) zero.</p> <p>(b) Inmates placed in segregated housing have access to programs, privileges, education, and work opportunities.</p> <p>(c) The MCJ does not assign inmates at high risk of sexual victimization to involuntary segregated housing, once information is gathered from the risk screening tool an immediate referral is made to the Multidisciplinary Treatment Team to assess the inmates housing as an alternative means of separation from likely abusers. The Sergeant/PREA Coordinator and PREA Coordinator confirmed this this process.</p> <p>In the past 12 months, the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement was zero (0).</p> <p>(d) If an inmate is requesting PC the inmate will be interviewed and their request will be documented and forwarded to the PREA Coordinator. The PREA Coordinator will review the request and document their recommendations including why alternative means of separation could not be arranged.</p> <p>From a review of case files of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged was zero (0).</p> <p>(e) The MCJ has reported that there are no cases of an inmate being placed in involuntary segregation because he/she is at high risk of sexual victimization. MCJ PREA Policy states that the facility reviews whether there is a continuing need for separation from the general population every 7 days.</p> <p>The facility has appropriate procedures in place to ensure inmates identified at high risk of sexual victimization has access to work, program, education and privileges when housed in involuntary protective custody. Policies require reviews of all inmates housed in the segregation housing unit. The Auditor reviewed the agency's policies, procedures, housing records, classification records, interviewed staff and inmates and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard

Auditor Discussion

The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ PREA Policy #300-90
2. Inmate Rule Book

Interviews:

1. Random Staff Interview
2. Contract Staff Interviews
3. Random Inmate Interviews

The Auditor conducted formal interviews with random staff. Each staff member was asked if they are required to accept any and all reports, knowledge and suspicion of sexual abuse and sexual harassment. Staff answered they were. Staff were asked how quickly they are required to report the allegation. Each staff member stated they are required to report the allegation immediately. The Auditor asked each if they were required to document the allegation. The Auditor was informed staff is required to submit a report to document the allegation. Staff was asked how they could privately report allegations of sexual abuse or sexual harassment of inmates.

The Auditor conducted formal interviews with contract staff. Each was asked what actions they would take if they received information from an inmate regarding an allegation of sexual abuse or sexual harassment. The Auditor was informed they would notify security immediately. The Auditor asked each if they were required to document information they receive regarding sexual abuse or sexual harassment. Each stated they would be required to write a report about the allegation. Each informed the Auditor they are required to report any and all information, knowledge, or suspicion regarding sexual abuse or sexual harassment of inmates.

The Auditor conducted formal interviews with inmates. The Auditor asked inmates to explain the various ways available for making a report of sexual abuse or sexual harassment. Collectively, inmates stated they can tell a staff member, write a request on the kiosk, or have someone else make a report for them. Inmates were unaware of reporting methods outside the facility. The Auditor asked each if there were staff, they felt confident they could report an allegation of sexual abuse or sexual harassment to. Most stated they would tell a staff member if they wanted to make an allegation of sexual abuse or sexual harassment. When asked if the inmates felt the allegation would be kept confidential most inmates felt staff would maintain confidentiality. The Auditor asked each inmate if they were able to make an allegation without having to give their name. The inmates interviewed understood they could make an allegation anonymously.

Site Review Observations:

Observations during on-site review of physical plant

(a) The MCJ provides information that discuss how to report sexual abuse, sexual harassment and retaliation. Inmates are provided and sign for an MCJ Inmate and book at intake which states:

The Marshall County Sheriff's Office Jail Division allows for internal reporting, by inmates, to report privately to agency officials about Sexual abuse or sexual harassment; Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment; and Staff neglect or violation of responsibilities that may have contributed to such incidents.

The multiple internal reporting methods inmates can utilize are:

a) Verbal reporting to staff or outside law enforcement agencies.

b) Inmate third party.

c) Request Forms.

d) Grievance Forms.

e) Crisis Intervention Service - 800-479-9071, the Iowa Sexual Abuse Hotline - 800-284-7821, or the National Sexual Abuse Hotline - 800-656-4673.

Marshall County Jail provides ways for inmates to report abuse or harassment to a public or private entity or office that is not part of the Sheriff's Officer. [§115.51 (b)-1]

a) National Sexual Abuse Hotline- 800-656-4673.

b) Iowa Sexual Abuse Hotline - 800-284-7821.

c) Crisis Intervention Services - 800-479-9071.

Housing unit phones require a pin number but no identifying information appears.

Use of an outside phone goes directly through to both internal investigators and Crisis Intervention Services and the Iowa Sexual Abuse Hotline. Access to inmate phones is during normal dayroom hours (0700 - 2130). Inmates in special management have access to phones during their recreation time.

(b) The MCJ instructs inmates that they can contact Crisis Intervention Services and the Iowa Sexual Abuse Hotline to report sexual abuse and/or harassment if they are uncomfortable with reporting internally. Information about Crisis Intervention Services and the Iowa Sexual Abuse Hotline is not found in the Inmate Handbook, or on the housing unit kiosks

(c) MCJ policy states: "Marshall County employees possessing knowledge of incidents or criminal acts of sexual misconduct are required to make notification immediately following the receipt of information made verbally, in writing, anonymously, and from third parties to their Supervisor or higher-ranking officials."

(d) The MCJ policy allows staff to privately report sexual abuse and sexual harassment of inmates

	<p>Corrective Action:</p> <p>During interviews with inmates they indicated they did not know what external reporting methods were in place to report sexual abuse.</p> <p>Please insure inmates are informed of external reporting methods through the inmate handbook, kiosks and other informational materials.</p> <p>Update:</p> <p>The facility provides multiple ways for inmates to report allegations of sexual abuse and sexual harassment, staff neglect and retaliation, including an outside private entity. The facility requires staff to accept, report, and document all allegations of sexual abuse and sexual harassment. The Auditor reviewed the agency’s policies, procedures, Inmate Handbook, Inmate education materials, staff training materials, Zero-Tolerance Poster, Memorandum of Understanding, Investigative records, training records, and interviewed staff and inmates and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Staff Interview 2. Random Inmate Interviews 3. PREA Coordinator <p>Interviews with random inmates and staff confirmed multiple ways an offender could report allegations of sexual abuse or sexual harassment including submitting a grievance. None of the inmates interviewed indicated they had filed a grievance regarding an allegation of sexual abuse or sexual harassment.</p> <p>The PREA Compliance Manager explained during his interview that all inmate grievances regarding PREA came to him for a final decision and understood the</p>

	<p>timeframes for responding to a PREA related grievance.</p> <p>Site Review Observations:</p> <p>1. Observations during on-site review of physical plant</p> <p>The Marshall County Jail does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse. Marshall County does not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse and ensures 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, and such grievance is not referred to a staff member who is the subject of the complaint. Marshall County issues 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 Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and are also be permitted to file such requests on behalf of inmates. Marshall County has established procedures for the filing of an emergency grievance when the inmate is subject to a substantial risk of imminent sexual abuse. After receiving an emergency grievance alleging a substantial risk of imminent sexual abuse, Marshall County immediately forwards the to a level of review at which immediate corrective action is taken, and provides an initial response within 48 hours, and issues a final agency decision within 5 calendar days. The initial response and final agency decision documents Marshall County’s determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. The Marshall County Jail may discipline a detainee for filing a grievance related to alleged sexual abuse only where it can be demonstrated that the inmate filed the grievance in bad faith.</p> <p>Marshall County has not received any detainee grievances regarding a PREA related incident in the past twelve (12) months.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <p>1. MCJ PREA Policy #300-90</p>

	<p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview 2. Random Staff Interview 3. Random Inmate Interviews <p>The Auditor conducted a formal interview with the Jail Administrator/PREA Compliance Manager. The Jail Administrator/PREA Compliance Manager stated victim advocates can accompany an inmate victim of sexual abuse during the forensics Examination, during criminal interviews and meet with inmates as needed for follow-up care.</p> <p>The Auditor conducted formal interviews with inmates. Each inmate was asked if the facility provides them with contact information of a community organization that provides emotional support services to sexual abuse victims. Many inmates interviewed were aware of the community support services.</p> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ policy states inmates with access to outside victim advocates for emotional support services related to sexual abuse. However, MCJ does not have an MOU with any organization to provides inmates with access to a victim advocates for emotional support services related to sexual abuse.</p> <p>The Auditor reviewed the agency’s policies, procedures, Inmate Handbook, Inmate education materials, staff training materials, Zero-Tolerance Poster, Investigative records, training records, and interviewed staff and inmates and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Staff Interview

2. Random Inmate Interviews

Staff were asked during interviews if they were required to accept third-party reports of sexual abuse or sexual harassment. Each staff member informed the Auditor they are required to accept all allegations of sexual abuse and sexual harassment. Staff informed the Auditor they accept the report, immediately inform a supervisor, and promptly document the allegation on a report.

The Auditor asked inmates if they understood they could have a family member, other inmate or any other person report an allegation on their behalf; inmates understood they could.

Site Review Observations:

1. Observations during on-site review of physical plant

(a,b) The MCJ accepts and investigates third-party reports of sexual abuse and harassment. However, Information about third party reporting is not available to the public posted on the MCJ website.

Corrective Action:

The MCJ accepts and investigates third-party reports of sexual abuse and harassment. However, Information about third party reporting is not available to the public posted on the MCJ website.

Please post Information about third party reporting on the MCJ website.

Update:

The Auditor determined the MCJ accepts all reports, including third-party reports, of sexual abuse and sexual harassment. The public is informed through the facility's website how to make third-party reports on behalf of inmates. The Auditor reviewed the agency's policies, procedures, website, investigative reports, training and education documents, Inmate Handbook, posters, conducted interviews with staff, contractors and inmates and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The Marshall County Jail (MCJ) provided the following documents to assist the auditor

in determining compliance with the standard:

1. MCJ PREA Policy #300-90

Interviews:

1. Jail Administrator/PREA Compliance Manager Interview
2. PREA Coordinator
3. Random Staff Interview
4. Random Inmate Interviews

Site Review Observations:

1. Observations during on-site review of physical plant

(a) The MCJ requires 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. It also requires 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. Lastly, staff must report immediately and according to any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation. Interviews conducted with staff showed they understood their duty to report any instances or suspected instances of sexual abuse. Staff was also aware of their duty not to discuss the allegations.

(b) Apart from reporting to designated supervisors or officials, the MCJ staff refrains 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. The staff was able to clearly articulate during the interviews the importance of keeping the information confidential.

(c) The MCJ does not have in house medical or mental health staff. However, the MCJ has provided information to community health providers to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services

(d) The MCJ does not regularly house inmates under the age of 18, if the victim is considered a vulnerable adult staff must report the allegation to the designated State or local services agency under applicable mandatory reporting laws

(e) MCJ staff report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the Jail Administrator/PREA Compliance Manager for investigation. Staff interviewed were aware of their reporting

	<p>responsibilities.</p> <p>The Auditor concluded staff and contractors are aware of the requirement to report any knowledge, suspicion, or information related to sexual abuse and sexual harassment. Staff understands the requirement to maintain confidentiality with the information. Interviews with medical and mental health practitioners reveal they understand the requirements for reporting sexual abuse which occurred in the community, in a confinement setting. The Auditor reviewed agency policies, procedures, investigative reports, training materials, interviewed staff, medical and mental health practitioners and inmates and</p> <p>determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.62	Agency protection duties
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview 2. PREA Coordinator 3. Random Staff Interview <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <ol style="list-style-type: none"> (a) According to MCJ Policy, when the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, the agency will take immediate action to protect the inmate. <p>In the past 12 months, the number of times the agency or facility determined that an inmate was subject to a substantial risk of imminent sexual abuse was zero (0).</p> <p>The Auditor concluded the MCJ takes immediate and appropriate actions to ensure the protection of inmates who are identified at a substantial risk of imminent sexual abuse. The Auditor reviewed facility policies, procedures, classification records, investigative records, housing records, conducted interviews with staff and inmates,</p>

	made observations and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.
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115.63	Reporting to other confinement facilities
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Administrator/PREA Coordinator Interview <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <ul style="list-style-type: none"> (a) MCJ policy states that upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Jail Administrator/PREA Compliance Manager will notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. The MCJ provided documentation for this process. This practice was verified by the Jail Administrator/PREA Compliance Manager. In the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility was zero (0). (b) Per policy, the notification is provided as soon as possible, but no later than 72 hours after receiving the allegation. (c) The MCJ does document that it has provided such notification. (d) The Jail Administrator/PREA Compliance Manager initiates an investigation on any notifications that they receive from another facility. In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities was zero (0). The MCJ Jail Administrator/PREA Compliance Manager fully understands the requirement to report allegations to other confinement facilities and to ensure allegations received are investigated. Staff members at

	<p>the MCJ understand the agency’s requirement to immediately report allegations of sexual abuse and sexual harassment so allegations can be investigated. The Auditor reviewed the agency’s policies, procedures, completed notifications and interviewed staff and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.64	Staff first responder duties
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview 2. PREA Coordinator 3. Random Staff Interviews <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <ul style="list-style-type: none"> (a) MCJ staff upon learning of an allegation that an inmate was sexually abused, and is the first security staff member to respond to the report is required to separate the alleged victim and abuser, preserve and protect any crime scene until appropriate steps can be taken to collect any evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence and 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. All staff interviewed had a good understanding of their duties. <p>In the past 12 months, the number of allegations that an inmate was sexually abused was zero (0).</p>

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

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

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

Of these allegations in the past 12 months where staff were notified within a time period that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report requested that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating was zero (0).

Of these allegations in the past 12 months where staff were notified within a time period that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report ensured that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating was zero (0).

(b) If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

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 (0).

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

Of those allegations responded to first by a non-security staff member, the number of times that staff member notified security staff zero (0).

The Auditor determined both security and non-security personnel are knowledgeable in their duties as first responder. The Auditor reviewed agency policies, procedures, investigative records, training records, conducted interviews with staff and contractors and determined the facility meets the requirements of this standard.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard

115.65	Coordinated response
	<p data-bbox="256 188 959 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 266 544 300">Auditor Discussion</p> <p data-bbox="256 344 1465 412">The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="320 490 724 524" style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p data-bbox="256 562 416 595">Interviews:</p> <ol data-bbox="320 663 1139 819" style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview 2. PREA Coordinator 3. Medical Staff Interview 4. MCSO (Investigator) Interview <p data-bbox="256 864 1453 1099">The Auditor conducted formal interviews with security staff who act as first responders. Each was asked to explain the actions they take following an incident of sexual abuse. Each staff member understood their responsibilities when responding to an incident of sexual abuse. Staff provided answers consistent with MCJ's coordinated response plan. Facility leadership and supervisors articulated their responsibilities in accordance with MCJ's coordinated response plan.</p> <p data-bbox="256 1144 1474 1211">The Auditor conducted formal interviews with facility medical and mental health staff. Each explained their responsibilities in response to a sexual abuse incident.</p> <p data-bbox="256 1256 1433 1368">The Assistant Jail Administrator/PREA Compliance Manager informed the Auditor of their responsibilities while conducting an administrative investigation and coordinating and assisting in criminal investigations conducted by the MCSO.</p> <p data-bbox="256 1413 628 1447">Site Review Observations:</p> <ol data-bbox="320 1514 1102 1547" style="list-style-type: none"> 1. Observations during on-site review of physical plant <p data-bbox="256 1592 1469 1749">(a) The MCJ has developed a written institutional plan according to the policy to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse.</p> <p data-bbox="256 1794 1461 2029">The Auditor determined MCJ's coordinated response plan includes actions to ensure personnel respond appropriately to incidents of sexual abuse. The Auditor reviewed policies, procedures, investigative records and interviewed staff to determine the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 2. Collective Bargaining Agreement - Local #238 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <p>Marshall County collective bargaining agreements do not prevent the removal of staff accused of sexual abuse from contact with inmates pending the outcome of an investigation. Marshall County may remove alleged staff sexual abusers from contact with any inmates or place an employee on administrative leave pending the outcome of an investigation.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Coordinator

Site Review Observations:

1. Observations during on-site review of physical plant

(a) The MCJ has established policies to protect all inmates and staff that report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and shall designate which staff members or departments are charged with monitoring retaliation. The MCJ has designated the PREA Coordinator to conduct the monitoring.

(b) The MCJ has 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 that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

(c) The PREA Coordinator will for at least 90 days following a report of sexual abuse, 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. The PREA Coordinator also monitors any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The PREA Coordinator may continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

The number of times an incident of retaliation occurred in the past 12 months was zero (0).

(d) The PREA Coordinator conducts status checks and that information is documented on the 90-day Review and Tracking form.

(e) The PREA Coordinator also monitors any individual who cooperates with an investigation and who expresses a fear of retaliation, and they will take appropriate measures to protect that individual against retaliation.

The MCJ has designated a specific staff (PREA Coordinator) responsible for monitoring acts of retaliation against inmates and staff as required by this standard. The staff member responsible for monitoring for retaliation was well educated in her responsibilities of such. The Auditor reviewed the agency's policies and procedures, investigative reports, monitoring forms and conducted formal interviews with staff and inmates and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.68 Post-allegation protective custody

Auditor Overall Determination: Meets Standard

	<p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager Interview 2. PREA Coordinator <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <ul style="list-style-type: none"> (a) MCJ policy states that an inmate is admitted into protective custody when there is documentation that protective custody is warranted and no reasonable alternative is available. <p>The number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment was zero (0).</p> <p>The number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement was zero (0).</p> <p>From a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged was zero (0).</p> <p>The Auditor concluded the MCJ has a policy that includes the elements of PREA standard 115.43 to ensure inmates receive privileges, programming, education, and work opportunities when placed in Protective Custody after suffering sexual abuse. The Auditor reviewed the agency's policies, procedures, classification records, housing records, made observations, and interviewed staff to determine the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard

Auditor Discussion

The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ PREA Policy #300-90
2. MCJ Internal Affairs Investigations

Interviews:

1. Jail Administrator/PREA Compliance Manager
2. PREA Coordinator
3. MCSO (Investigator) Interview

The Jail Administrator/PREA Compliance Manager, PREA Coordinator and MCSO Investigators indicated that administrative investigations are completed by the MCJ and that criminal investigations are turned over to the MCSO and that the MCJ cooperates fully and provides all documentation to outside investigators. The Jail Administrator/PREA Compliance Manager and PREA Coordinator stated that any physical evidence pertaining to a criminal investigation would be collected by the MCSO. Interviews confirm that the credibility of an alleged victim, suspect or witness is on an individual basis and not on the basis of that individual's status as an inmate or staff.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) MCJ policy ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

(b) MCJ investigators have not received specialized training in sexual abuse investigations as required by 115.34.

(c) MCSO Investigators will gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. All of the internal reports will be provided to the MCSO as soon as possible.

(d) The MCSO is responsible for the criminal investigations that maybe referred for prosecution.

The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution MCJ's last PREA audit was zero (0)

(e) The MCJ investigates all allegations of sexual abuse and refer matters to the

MCSO as warranted.

(f) MCJ conducts administrative investigations in an effort to determine whether staff actions or failures to act contributed to the abuse. All reports include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and finding.

(g) MCJ staff provides to the MCSO for criminal investigations a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

(h) The MCJ retains all written reports referenced for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

(i) MCJ policy states the departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.

(j) Auditor not required to audit this provision

(k) MCJ staff provides all of the internal reports to the MCSO as soon as possible following an allegation. The MCJ cooperates with MCSO as requested.

Corrective Action:

115.71 (b) - (b) MCJ investigators have not received specialized training in sexual abuse investigations as required by 115.34.

Please provide training to Investigators 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.

Update:

As of 06/17/2024 Marshall County has provided documentation showing investigators received specialized training in sexual abuse investigations as required by 115.34.

The Auditor determined that MCJ investigators conduct appropriate, objective and thorough sexual abuse and sexual harassment investigations. Facility Investigators have received appropriate training to conduct sexual abuse and sexual harassment investigations in a confinement setting. Each allegation including sexual harassment and sexual abuse is investigated by a trained facility Investigator. The facility referred all criminal allegations to the MCSO for criminal investigation. The Auditor reviewed facility policy, procedures, investigative records, training records, interviewed staff and determined the facility meets the requirements of this standard. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.72	Evidentiary standard for administrative investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager 2. PREA Coordinator 3. MCSO (Investigator) Interview <p>During interviews with investigators the auditor was informed the agency’s policy requires investigators use a preponderance of evidence to substantiate an allegation of sexual abuse or sexual harassment. The Investigators were questioned about the meaning of preponderance. Both explained preponderance is more evidence one way or the other. Investigators stated 51 percent would substantiated the allegation.</p> <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <ol style="list-style-type: none"> (a) In accordance with MCJ policy, the MCJ imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Interviews will the investigative staff confirmed this statement. <p>The Auditor reviewed investigation reports, which reveal facility investigators are using a preponderance of evidence to substantiate an allegation of sexual abuse and sexual harassment.</p> <p>The Auditor determined facility Investigators utilize a preponderance of evidence as the basis to substantiate sexual abuse and sexual harassment allegations. The Auditor reviewed the agency’s policy; procedures, investigative report and interviewed facility investigators. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.73	Reporting to inmates
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Auditor Overall Determination: Meets Standard

Auditor Discussion

The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ PREA Policy #300-90

Interviews:

1. Jail Administrator/PREA Compliance Manager
2. PREA Coordinator
3. MCSO (Investigator) Interview

During interviews, the Jail Administrator/PREA Compliance Manager informed the Auditor that they notify inmates of the results of an investigation at the conclusion of the investigation. The Auditor asked who informs the victim when criminal charges are placed on the abuser or the abuser has been convicted. The PREA Coordinator or PREA Compliance Manager would make those notifications when they are received from the MCSO.

The Auditor was informed by the Jail Administrator/PREA Compliance Manager that they maintain a good working relationship with the MCSO and would have no problem obtaining that information.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) Following an investigation into an inmate's allegation that he or she suffered sexual abuse the MCJ informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The notification is in writing regardless of the outcome of the investigation.

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 zero (0).

Of the alleged sexual abuse investigations that were completed in the past 12 months, the number of inmates who were notified, verbally or in writing, of the results of the investigation was zero (0).

(b) The MCJ requests relevant information from the MCSO who is responsible for conducting the criminal investigation in order to inform the inmate.

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 (0).

Of the outside agency investigations of alleged sexual abuse that were completed in

	<p>the past 12 months, the number of inmates alleging sexual abuse in the facility who were notified verbally or in writing of the results of the investigation was zero (0)</p> <p>(c) Following an inmate’s allegation that a staff member has committed sexual abuse against the inmate, the MCJ will subsequently inform 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.</p> <p>In the past 12 months, the number of notifications made to inmates and documented that were provided pursuant to this section of the standard was zero (0)</p> <p>(d) Following an inmate’s allegation that he or she has been sexually abused by another inmate, the MCJ will 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 or the MCJ learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.</p> <p>In the past 12 months, the number of notifications made to inmates and documented that were provided pursuant to this section of the standard was zero (0)</p> <p>(e) All such notifications or attempted notifications are documented and the notifications are kept in the investigative file.</p> <p>(f) Auditor is not required to audit this provision</p> <p>The Auditor concluded the MCJ informs inmates of investigative findings after the conclusion of an investigation. The Auditor reviewed facility policies, procedures, notifications to inmates and conducted interviews with Investigators. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 2. MCJ Employee Discipline Policy <p>Interviews:</p>

1. Jail Administrator/PREA Compliance Manager Interview
2. Random Staff Interviews

During interviews with MCJ staff, each staff member was aware of the agency's policy making termination the presumptive disciplinary sanction for engaging in an act of sexual abuse. The facility's command staff has a zero-tolerance approach and disciplines staff for violating the agency's sexual abuse and sexual harassment policies. Interviews with command staff reveal the facility recommends termination of a staff member who engages in sexual abuse with an inmate.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) MCJ Policy states:

Disciplinary sanctions for violations of Marshall County Jail policies relating to sexual misconduct (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.

(b) The policy states termination is presumptive disciplinary sanction for staff who has engaged in sexual abuse.

All terminations for violations of Marshall County Jail sexual misconduct policies, or resignations by employees who would have been terminated if not for their resignation, shall be reported to applicable local law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

In the past 12 months, the number of staff from the facility who have violated agency sexual abuse or sexual harassment policies was zero (0).

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

(c) The MCJ policy addresses the sanctions for violations of agency policies relating to sexual abuse and harassment 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.

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) was zero (0)

(d) The terminations for violations of agency sexual abuse and harassment 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

	<p>criminal, and to any relevant licensing bodies.</p> <p>In the past 12 months, the number of staff from the facility that have been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies was zero (0).</p> <p>The MCJ has appropriate policies to ensure agency personnel who violate sexual abuse or sexual harassment policies are appropriately disciplined and that appropriate agencies are notified. The Auditor conducted a review of the agency's policies, procedures, investigative files and disciplinary records and interviewed staff. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.77	Corrective action for contractors and volunteers
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 2. New Volunteer Orientation <p>Interviews:</p> <ol style="list-style-type: none"> 1. Contract Staff Interviews <p>The Auditor conducted interviews with contract staff. Each individual interviewed was aware of the agency's zero-tolerance policy and discipline sanctions for violating those policies. Each was aware they would be removed from contact with inmates following an allegation of sexual abuse and would be removed from facility access if found to have engaged in such acts. They were also aware the facility reports such actions to law enforcement for criminal investigation.</p> <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <ol style="list-style-type: none"> (a) Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. MCJ PREA Policy: Any contracted personnel or volunteer who engages in sexual abuse shall be

	<p>prohibited from contact with inmates and shall be reported to applicable local law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.</p> <p>In the past 12 months, the number of contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates was zero (0)</p> <p>(b) The MCJ 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. MCJ PREA Policy</p> <p>The facility will take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any other violation of MCJ policies by contracted personnel or volunteers.</p> <p>Volunteers and contract staff are made aware of the agency's sexual abuse and sexual harassment policies during their initial orientation. Training is provided to contractors and volunteers by facility personnel. At the completion of their training each signs an acknowledgement form noting their understanding of the provided training. The training educates volunteers and contract staff that violations of sexual abuse and sexual harassment policies are subject to removal as well as criminal prosecution. The Auditor verified all volunteers and contractors received the training.</p> <p>The MCJ maintains appropriate policies to ensure contract staff and volunteers at the MCJ are removed from inmate contact after committing an act of sexual abuse or sexual harassment. The Auditor reviewed the agency's policies, procedures, training documents, and conducted formal interviews with contract staff and volunteers.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.78	Disciplinary sanctions for inmates
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ PREA Policy #300-90 2. MCJ Inmate Handbook <p>Interviews:</p>

1. Jail Administrator/PREA Compliance Manager

During an interview with the Jail Administrator/PREA Compliance Manager the Auditor asked if they had placed disciplinary charges against an inmate for violating sexual abuse and sexual harassment policies. The Auditor was informed disciplinary charges are placed on inmates following a criminal or administrative finding of sexual abuse or harassment. The Auditor asked if an inmate had ever been disciplined for filing a false allegation. He was not aware of any.

Site Review Observations:

1. Observations during on-site review of physical plant

(a) Inmates at the MCJ are 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. Inmates are made aware of the disciplinary process which is located in the MCJ Inmate Handbook.

In the past 12 months, the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility was zero (0).

In the past 12 months, the number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility was zero (0).

(b) The MCJ Inmate Handbook reflects that 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) The MCJ disciplinary process considers 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 MCJ does not offer programming such as therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse.

(e) The MCJ will discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

(f) 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 MCJ has a zero-tolerance policy concerning sexual contact.

The Auditor discovered the agency maintains policies that align with PREA standard 115.78 Discipline Sanctions for Inmates. Facility personnel ensure the policy is applied

	<p>when choosing whether to discipline an inmate for reporting or participating in an act of sexual abuse. The Auditor reviewed the facility's policies, procedures, investigative records, interviewed staff, medical and mental health practitioners. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.81	Medical and mental health screenings; history of sexual abuse
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Auditor Overall Determination: Meets Standard

Auditor Discussion

The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

- 1. MCJ PREA Policy #300-90

Interviews:

- 1. Medical Staff Interview

The Auditor conducted formal interviews with medical staff. Medical practitioners stated they complete a medical screening for every inmate during the intake process. The Auditor asked if mental health staff are notified of inmate that discloses prior abuse. Both stated mental health does meet with those inmates within 14 days for a follow up.

Medical staff stated they only share victimization information with mental health personnel. The Auditor asked who has access to medical records. The Auditor was informed only medical personnel have access. Each was asked what they would do if they felt they needed to share information regarding victimization. The Auditor was informed medical personnel would ask for written informed consent from the inmate before doing so. Medical staff informed the Auditor they are mandatory reporters concerning sexual victimization of a youthful inmate.

Site Review Observations:

- 1. Observations during on-site review of physical plant

(a) This provision is Not Applicable, this section only applies to prisons

(b) This provision is Not Applicable, this section only applies to prisons

(c) MCJ policy states that if the PREA screening questions indicate that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will ensure that the inmate is offered a follow-up meeting

	<p>with a medical or mental health practitioner within 14 days of the intake screening.</p> <p>(d) Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. Medical and Mental Health staff are directed to notify MCJ security staff immediately upon learning of any information regarding sexual abuse.</p> <p>(e) The MCJ does not regularly house inmates under the age of 18. Medical and Mental Health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting.</p> <p>The Auditor concluded inmates are offered a follow-up with a medical or mental health practitioner after reporting they have suffered sexual victimization. Medical and mental health practitioners inform only staff who inform decision regarding information related to sexual victimization or abusiveness. The Auditor reviewed the agency's policies, procedures, inmate medical and classification records, conducted interviews with medical and mental health practitioners and inmates. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <p style="padding-left: 40px;">1. MCJ PREA Policy #300-90</p> <p>Interviews:</p> <p style="padding-left: 40px;">1. Medical Staff Interview</p> <p>Site Review Observations:</p> <p style="padding-left: 40px;">1. Observations during on-site review of physical plant</p> <p>(a) MCJ policy states inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment, the nature and scope of which are determined by medical and mental health practitioners according to their professional</p>

	<p>judgment.</p> <p>(b) MCJ staff act as security staff first responders, if no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, the 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.</p> <p>(c) MCJ staff confirmed that inmate victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.</p> <p>(d) 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.</p> <p>The Auditor determined the facility provides inmates access to timely and unimpeded emergency medical services. Medical practitioners provide inmate victims with sexually transmitted infections prophylaxis. The Auditor reviewed the agency's policies, procedures, medical records, investigative records, Inmate handbook and interviewed staff, victim advocates and inmates. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <p style="padding-left: 40px;">1. MCJ PREA Policy #300-90</p> <p>Interviews:</p> <p style="padding-left: 40px;">1. Medical Staff Interview</p> <p>Site Review Observations:</p> <p style="padding-left: 40px;">1. Observations during on-site review of physical plant</p> <p>(a) Whenever an employee knows or suspects, or receives an allegation from any</p>

	<p>source regarding patient sexual abuse, the employee will immediately notify the Responsible Health Authority.</p> <p>(b) Prophylactic treatment and follow-up care for sexually transmitted or other communicable diseases (e.g., HIV, Hepatitis B) are offered to all victims, as appropriate.</p> <p>(c) Victims of sexual abuse will be referred to a community facility or local emergency room for treatment or gathering of forensic evidence.</p> <p>(d) Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.</p> <p>(e) If pregnancy results from conduct specified in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services.</p> <p>(f) Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.</p> <p>(g) Medical co-payment fees are not imposed to inmates for any medical services.</p> <p>(h) Mental Health - After any emergency treatment is provided, health care staff will notify mental health staff of event. An immediate referral, including after hours, is the preferred referral format in case of an abuse.</p> <p>The facility's medical and mental health practitioners offer counseling, treatment, sexually transmitted infection prophylaxis, testing and make referrals for continued care when necessary. The services provided to inmate victims are consistent with a community level of care. The Auditor reviewed policies, procedures, medical records, interviewed medical and mental health practitioners and the forensic nurse. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.86	<p>Sexual abuse incident reviews</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <p>1. MCJ PREA #300-90</p> <p>Interviews:</p>
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1. Jail Administrator/PREA Compliance Manager Interview

Site Review Observations:

Observations during on-site review of physical plant

(a) MCJ policy requires 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.

In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only "unfounded" incidents was zero (0).

(b) Reviews ordinarily occur within 30 days of the conclusion of the 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 was zero (0).

(c) The review team includes upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners

(d) The review team considers whether the allegation and/or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility. The review team examines the area of the facility where the incident occurred to assess whether physical barriers in the area may enable abuse. The review team assesses the adequacy of staffing levels in that area during different shifts and whether monitoring technology should be deployed or augmented to supplement supervision by staff.

(e) MCJ policy requires the implementation of recommendations or documents its reasons for not doing so.

The Auditor determined the facility does conduct incident reviews within 30 days of the conclusion of each substantiated and unsubstantiated sexual abuse investigation. The Incident Review Team documents the performance of each incident review. The Auditor reviewed the agency's policies, procedures, Incident Review reports, training records, investigative record and conducted interviews with staff. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.87	Data collection
	Auditor Overall Determination: Meets Standard

Auditor Discussion

The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

- 1. MCJ PREA Policy #300-90

Interviews:

- 1. Jail Administrator/PREA Compliance Manager

Site Review Observations:

- 1. Observations during on-site review of physical plant

(a) MCJ policy requires the collection of accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions. This includes data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

(b) Policy states MCJ maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

(c) The MCJ does not contract for the confinement of its inmates.

(d) Policy requires MCJ provide upon request, all such data from the previous calendar year to the Department of Justice.

Although policy requires the collection of accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions which includes data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. MCJ had no annual report showing the collection of data at the time of the onsite audit.

Corrective Action:

Although policy requires the collection of accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions which includes data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. MCJ had no annual report showing the collection of data at the time of the onsite audit.

Develop and provide an annual report for 2023 consistent with the reporting requirements in this standard.

Update:

The Auditor observed evidence the facility collects and aggregates and

	<p>analyses sexual abuse data annually. The reported data is derived from a standardized set of definitions. The Auditor reviewed the agency’s policies, procedures, website, Annual Report and interviewed staff. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.88	Data review for corrective action
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	<p>Auditor Overall Determination: Meets Standard</p>
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	<p>Auditor Discussion</p>
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	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p>
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| | <ul style="list-style-type: none"> 1. MCJ PREA Policy #300-90 |
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	<p>Interviews:</p>
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| | <ul style="list-style-type: none"> 1. Jail Administrator/PREA Compliance Manager |
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	<p>Site Review Observations:</p>
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| | <ul style="list-style-type: none"> 1. Observations during on-site review of physical plant |
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	<p>(a) MCJ policy requires that data is 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 by identifying problem areas, taking corrective action on an ongoing basis and prepares an annual report of its findings</p>
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	<p>MCJ policy requires that data is 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 by identifying problem areas, taking corrective action on an ongoing basis and prepares an annual report of its findings. MCJ had no annual report showing the collection of data at the time of the onsite audit.</p>
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	<p>Corrective Action:</p>
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	<p>MCJ policy requires that data is 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 by identifying problem areas, taking corrective action on an ongoing basis and prepares an annual report of its findings. MCJ had no annual report showing the collection of data at the time of the onsite audit.</p>
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	<p>Develop and post an annual report for 2023 consistent with the reporting requirements in this standard.</p> <p>Update:</p> <p>The Auditor concluded the agency completes an annual review of collected and aggregated sexual abuse data and includes such data from the review in an annual report. The facility attempts to addresses problem areas and corrective actions taken on an annual basis. The annual report is approved by the Sheriff and published on the agency’s website. The Auditor reviewed the agency’s policies, procedures, website, Annual Report and interviewed staff. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Marshall County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <p style="padding-left: 40px;">1. MCJ PREA Policy #300-90</p> <p>Interviews:</p> <p style="padding-left: 40px;">1. Jail Administrator/PREA Compliance Manager</p> <p>Site Review Observations:</p> <p style="padding-left: 40px;">1. Observations during on-site review of physical plant</p> <p>(a) MCJ policy requires that data collected pursuant to § 115.87 is securely retained.</p> <p>(b) MCJ does not currently makes all aggregated sexual abuse data readily available to the public through its website.</p> <p>(c) MCJ policy requires the removal of all personal identifiers before making aggregated sexual abuse data publicly available.</p> <p>(d) The MCJ maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection.</p>

	<p>Corrective Action:</p> <p>MCJ does not currently makes all aggregated sexual abuse data readily available to the public through its website.</p> <p>Develop and post an annual report for 2023 consistent with the reporting requirements in this standard.</p> <p>Update:</p> <p>The Auditor reviewed the facility’s policy, procedures, website, annual report, interviewed staff. Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>This was Marshall County Jail’s First audit of the PREA standards. During the on-site visit the auditor was afforded access to all areas of the facility, allowed to interview inmates and staff in private, and was provided with all necessary documentation to complete a thorough audit. Contact information for this auditor was visible in all areas of the facility.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>This was Marshall County Jail’s first PREA Audit. The Marshall County Jail ensures that final reports will be published on their website.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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

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

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

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

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

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

	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes
115.33 (d)	Inmate education	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes
115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
115.33 (f)	Inmate education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes
115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and	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.)	yes
115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective	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.)	yes
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,	na

	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).)	yes
115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes

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

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

115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	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