

NATIONAL
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BJA
Bureau of Justice Assistance
U.S. Department of Justice

PREA COMPLIANCE MEASURES HANDBOOK

Prisons and Jails
05/2013

PREA Audit: Compliance Measures
Adult Prisons and Jails

Title	Description of Standard	Measure
115.11 (a)	An agency shall have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlining the agency's approach to preventing, detecting, and responding to such conduct.	<p>The agency has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment in facilities it operates directly or under contract.</p> <p>The facility has a policy outlining how it will implement the agency's zero-tolerance approach to preventing, detecting, and responding to sexual abuse and sexual harassment.</p> <p>The policy includes definitions of prohibited behaviors regarding sexual assault and sexual harassment.</p> <p>The policy includes sanctions for those found to have participated in prohibited behaviors .</p> <p>The policy includes a description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of inmates.</p>
115.11 (b)	An agency shall employ or designate an upper-level, agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities.	<p>The agency employs or designates an upper-level, agency-wide PREA coordinator.</p> <p>The position of the PREA Coordinator in the agency's organizational structure:</p> <p>Percent FTE that the PREA Coordinator is authorized to devote to work.</p> <p>If the agency operates multiple facilities, the number of PREA facility compliance managers' that report to the agency PREA coordinator.</p>
115.11 (c)	Where an agency operates more than one facility, each facility shall designate a PREA compliance manager with sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.	<p>The facility has designated a PREA Compliance Manager.</p> <p>The position of the PREA Compliance Manager in the agency's organizational structure:</p> <p>Person whom the PREA Compliance Manager reports:</p> <p>Percent FTE that the PREA Compliance Manager is authorized to devote to PREA work:</p>
115.12 (a)	A public agency that contracts for the confinement of its inmates with private agencies or other entities, including other government agencies, shall include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards.	<p>The agency has entered into or renewed a contract for the confinement of inmates on or after August 20, 2012 or since the last PREA audit, whichever is later.</p> <p>If yes, number of contracts for the confinement of inmates that the agency entered into or renewed with private entities or other government agencies on or after August 20, 2012 or since the last PREA audit, whichever is later?</p> <p>All of the above contracts require contractors to adopt and comply with PREA Standards.</p> <p>Number of the above contracts that DID NOT meet this requirement:</p>
115.12 (b)	Any new contract or contract renewal shall provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards.	<p>All of the above contracts require the agency to monitor the contractor's compliance with PREA Standards.</p> <p>Number of the above contracts that DO NOT require the agency to monitor contractor's compliance with PREA Standards.</p>
115.13 (a)	<p>The agency shall ensure that each facility it operates shall develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration:</p> <p>(1) Generally accepted detention and correctional practices;</p> <p>(2) Any judicial findings of inadequacy;</p> <p>(3) Any findings of inadequacy from Federal investigative agencies;</p> <p>(4) Any findings of inadequacy from internal or external oversight bodies;</p> <p>(5) All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated);</p> <p>(6) The composition of the inmate population;</p> <p>(7) The number and placement of supervisory staff;</p> <p>(8) Institution programs occurring on a particular shift;</p> <p>(9) Any applicable State or local laws, regulations, or standards;</p> <p>(10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and</p> <p>(11) Any other relevant factors.</p>	<p>Agency requires each facility it operates to develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against abuse.</p> <p>If yes, in calculating adequate staffing levels and determining the need for video monitoring the facility staffing plan takes into consideration:</p> <ol style="list-style-type: none"> 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 11. Any other relevant factors
115.13 (b)	In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan.	<p>Each time the staffing plan is not complied with, the facility documents and justifies all deviations from the staffing plan?</p> <p>If yes, the six most common reasons for deviating from the staffing plan in the last 12 months:</p>

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115.13 (c)	Whenever necessary, but no less frequently than once each year, for each facility the agency operates, in consultation with the PREA coordinator required by § 115.11, the agency shall assess, determine, and document whether adjustments are needed to: (1) The staffing plan established pursuant to paragraph (a) of this section; (2) The facility's deployment of video monitoring systems and other monitoring technologies; and (3) The resources the facility has available to commit to ensure adherence to the staffing plan.	At least once every year the facility, in collaboration with the facility's PREA Coordinator, reviews the staffing plan to see whether adjustments are needed to (a) the staffing plan, (b) the deployment of monitoring technology, or (c) the allocation of agency/facility resources to commit to the staffing plan to ensure compliance.
115.13 (d)	Each agency operating a facility shall implement 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. Such policy and practice shall be implemented for night shifts as well as day shifts. Each agency shall have a policy to prohibit staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the	The facility requires that intermediate-level and higher-level staff conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment. If yes, the facility documents each unannounced round. If yes, over time the unannounced rounds cover all shifts and all areas of the facility. If yes, the facility prohibits staff from alerting other staff of the conduct of such rounds.
115.14 (a)	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.	Number of youthful inmates that have been housed at this facility: - In the last 12 months? - On date of audit? (DELETED "on date of audit") The facility prohibits placing youthful inmates 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. The facility has housing units to which youthful offenders are assigned that provide sight and sound separation between youthful and adult offenders in dayrooms, common areas, showers, and sleeping quarters. If yes, number of housing units to which youthful offenders are assigned that provide sight and sound separation between youthful and adult offenders in dayrooms, common areas, showers, and sleeping quarters. The facility places youthful inmates in the SAME HOUSING UNIT as adults. If yes, number of youthful inmates placed in SAME HOUSING UNIT at this facility in the last 12 months. Youthful inmates that are placed in SAME HOUSING UNIT have sight, sound, or physical contact with any adult inmate through use of shower area, or sleeping quarters, shared dayroom or other common space.
115.14 (b)	In areas outside of housing units, agencies 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.	In areas outside housing units the facility maintains sight, sound, and physical separation between youthful inmates and adult inmates In areas outside housing units where youthful inmates have sight, sound, or physical contact with adult inmates the agency always provide direct staff supervision.
115.14 (c)	Agencies shall make 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.	The facility has made best efforts to avoid placing youthful inmates in isolation to comply with sight and sound separation provision. In the past 12 months, number of youthful inmates that have been placed in isolation in order to separate them from adult inmates. Youthful inmates in isolation in the past 12 months in order to separate them from adult inmates have access to (a) daily large-muscle exercise, (b) legally required education services, and (c) other programs and work opportunities. If no, their access to a) daily large-muscle exercise, (b) legally required education services, or (c) other programs and work opportunities was denied based upon the presence of exigent circumstances. The facility documents the exigent circumstances for each instance in which access to large muscle exercise, legally required education services, and other programs and work opportunities was denied.

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115.15 (a)	The facility shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners.	In the last 12 months, number of strip and visual body cavity searches at the facility that involved inmates and non-medical staff of different genders: Provide documentation of cross-gender searches conducted at the facility in the last 12 months where the exigent circumstances that justified the search were documented.
115.15 (b)	As of August 20, 2015, or August 20, 2017 for a facility whose rated capacity does not exceed 50 inmates, the facility shall not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. Facilities shall not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.	In the last 12 months, number of pat-down searches of female inmates that were conducted by male staff: Provide documentation of pat-down searches of female inmates conducted by male staff where the exigent circumstance(s) that justified the search were documented. The facility ensures that it does not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.
115.15 (c)	The facility shall document all cross-gender strip searches and cross-gender visual body cavity searches, and shall document all cross-gender pat-down searches of female inmates.	Facility policy requires that all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches of female inmates be documented.
115.15 (d)	The facility shall implement policies and procedures that enable 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. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering an inmate housing unit.	Facility has implemented policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit.
115.15 (e)	The facility shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or, if	Facility has a policy prohibiting staff from searching or physically examining a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. Such searches (described in 115.15(e)-1) occurred in the last 12 months.
115.15 (f)	The agency shall train security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.	The agency trains all security staff to conduct cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, consistent with security needs. Percent of staff who received the above training.
115.16 (a)	The agency shall take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the agency shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision. An agency is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act, 28 CFR 35.164.	Agency has established policies and procedures 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.
115.16 (b)	The agency shall 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, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.	Agency has established procedures to provide inmates with limited English proficiency equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

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Title	Description of Standard	Measure
115.16 (c)	The agency shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under § 115.64, or the investigation of the inmate's allegations.	<p>Agency policy prohibits use of inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under § 115.64, or the investigation of the inmate's allegations.</p> <p>If yes, agency or facility documents the limited circumstances in individual cases where inmate interpreters, readers, or other types of inmate assistants are used.</p> <p>In the last 12 months, facility staff used inmate interpreters, inmate readers, or other types of inmate assistants when communicating with other inmates about matters of sexual abuse, harassment, or other activities referred to in this standard.</p> <p>If yes, note the number of instances and describe under what circumstances this occurred.</p>
115.17 (a)	The agency shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who— (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.	<p>Agency policy prohibits hiring or promoting anyone who may have contact with inmates, and prohibits enlisting the services of any contractor who may have contact with inmates, who— (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.</p>
115.17 (b)	The agency shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.	Agency policy requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.
115.17 (c)	Before hiring new employees who may have contact with inmates, the agency shall: (1) Perform a criminal background records check; and (2) 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.	<p>Agency policy requires that before it hires any new employees who may have contact with inmates, it (a) conducts criminal background record checks, and (b) consistent with Federal, State, and local law, makes its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.</p> <p>In the past 12 months, the percent of persons hired who may have contact with inmates have had criminal background record checks.</p>
115.17 (d)	The agency shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates.	<p>Agency has a policy of performing a criminal background records check before enlisting the services of any contractor who may have contact with inmates.</p> <p>In the past 12 months, the percent of contracts for services of contractors who might have contact with inmates had criminal background record checks.</p>
115.17 (e)	The agency shall 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.	Agency has a policy either to 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 employ
115.17 (f)	The agency shall 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. The agency shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.	<p>Agency directly asks all applicants and employees who may have contact with inmates 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.</p> <p>Agency requires that employees disclose any future misconduct as described in paragraph (a) of this section.</p>
115.17 (g)	Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.	Agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.
115.17 (h)	Unless prohibited by law, the agency shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.	Agency 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, unless prohibited by law.

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115.18 (a)	When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse.	When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities since August 20, 2012, the agency/facility has considered the effect of the design, acquisition, expansion, or modification upon the agency's/facility's ability to protect inmates from sexual abuse.
115.18 (b)	When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse.	When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, the agency/facility considers how such technology may enhance the agency's ability to protect inmates from sexual abuse.
115.21 (a)	To the extent the agency is responsible for investigating allegations of sexual abuse, the agency shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.	<p>Agency/facility is responsible for conducting sexual abuse investigations.</p> <p>If no, agency that has responsibility:</p> <p>When conducting a sexual abuse investigation, the facility follows a uniform evidence protocol.</p> <p>The uniform evidence protocol provides sufficient technical detail to aid responders in obtaining usable physical evidence.</p>
115.21 (b)	The protocol shall be developmentally appropriate for youth where applicable, and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive	<p>The protocol is developmentally appropriate for youths (if and where applicable).</p> <p>If applicable, the protocol was adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, 'A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents,' or similarly</p>
115.21 (c)	The agency shall offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentially or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The agency shall document its efforts to provide SAFEs or SANEs.	<p>The facility offers access to forensic medical examinations without financial cost to the victim.</p> <p>The examinations are conducted on-site.</p> <p>Examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).</p> <p>When SANEs or SAFEs are not available on-site, a qualified medical practitioner performs forensic medical examinations.</p> <p>The facility documents efforts to provide SANEs or SAFEs.</p> <p>Number of forensic medical exams conducted during the past 12 months: <small>NUMBER OF EXAMS PERFORMED BY SANES/SAFES.</small></p> <p>Number of exams performed by a qualified medical practitioner</p>
115.21 (d)	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 shall make 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	<p>The facility attempts to make available to the victim a victim advocate from a rape crisis center, in person or by other means.</p> <p>These efforts are documented.</p> <p>If a rape crisis center is used to provide victim advocate services, the rape crisis center meets the qualifications of the standard.</p> <p>If and when a rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff member from a community-based organization or a qualified agency staff member.</p>
115.21 (e)	As requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.	If requested by the victim, a victim advocate, or qualified agency staff member, or qualified community-based organization staff member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information, and referrals.
115.21 (f)	To the extent the agency itself is not responsible for investigating allegations of sexual abuse, the agency shall request that the investigating agency follow the requirements of paragraphs (a) through (e) of this section.	If the agency is not responsible for investigating allegations of sexual abuse and relies on another agency identified in 115.21 (a) -2 above, the agency has requested that the responsible agency follow the requirements of paragraphs 115.21 (a) through (e).
115.21 (g)	The requirements of paragraphs (a) through (f) of this section shall also apply to: (1) Any State entity outside of the agency that is responsible for investigating allegations of sexual abuse in prisons or jails; and (2) Any Department of Justice component that is responsible for investigating allegations of sexual abuse in prisons or jails.	NA

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115.21 (h)	For the purposes of this section, a qualified agency staff member or a qualified community-based staff member shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general.	NA
115.22 (a)	The agency shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.	<p>The agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse or harassment.</p> <p>During the past 12 months:</p> <p>Number of allegations of sexual abuse and sexual harassment were received:</p> <p>Number of allegations resulting in an administrative investigation:</p> <p>Number of allegations referred for criminal investigation:</p> <p>Referring to allegations received during past 12 months: all administrative and/or criminal investigations were completed.</p> <p>Provide a description of how the agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment:</p>
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 shall publish such policy on its website or, if it does not have one, make the policy available through other means. The agency shall document all such referrals.	<p>The agency has a policy that requires allegations of sexual abuse or sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations, including the agency if it conducts its own investigations, unless the allegation does not involve potentially criminal behavior.</p> <p>The agency's policy regarding the referral of allegations of sexual abuse or sexual harassment for a criminal investigation is published on the agency website or made publically available via other means.</p> <p>The agency documents all referrals of allegations of sexual abuse or sexual harassment for criminal investigation.</p>
115.22 (c)	If a separate entity is responsible for conducting criminal investigations, such publication shall describe the responsibilities of both the agency and the investigating entity.	If a separate entity is responsible for conducting criminal investigations for the agency, agency's publication (website or paper) describes the responsibilities of both entities.
115.22 (d)	Any State entity responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails shall have in place a policy governing the conduct of such investigations.	If the agency is not responsible for conducting administrative or criminal investigations of alleged sexual abuse, and another State or Federal DOJ entity has that responsibility, this other entity has a policy governing how such investigations are conducted.
115.22 (e)	Any Department of Justice component responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails shall have in place a policy governing the conduct of such investigations.	If the agency is not responsible for conducting administrative or criminal investigations of alleged sexual abuse, and another State or Federal DOJ entity has that responsibility, this other entity has a policy governing how such investigations are conducted.
115.31 (a)	<p>The agency shall train all employees who may have contact with inmates on:</p> <ol style="list-style-type: none"> (1) Its zero-tolerance policy for sexual abuse and sexual harassment; (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; and (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. 	<p>The agency trains all employees who have contact with inmates in the following matters:</p> <ol style="list-style-type: none"> (1) Agency's zero-tolerance policy for sexual abuse and sexual harassment. (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 of sexual abuse to outside authorities.
115.31 (b)	Such training shall be tailored to the gender of the inmates at the employee's facility. The employee shall receive additional training if the employee is reassigned from a facility that houses	<p>Training is tailored to the gender of the inmates at the facility.</p> <p>Employees who are reassigned from facilities housing the opposite gender are given additional training.</p>

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115.31 (c)	All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards, and the agency shall 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. In years in which an employee does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies.	In the past 12 months, number and percent of employees assigned to the facility were trained on the PREA requirements enumerated above: For subsequent audits: number and percent of employees assigned to the facility were trained or retrained on the PREA requirements since last audit: Between trainings the agency provides employees with information about current policies regarding sexual abuse and harassment.
115.31 (d)	The agency shall document, through employee signature or electronic verification, that employees understand the training they have received.	The agency documents that employees understand the training they have received through employee signature or electronic verification.
115.32 (a)	The agency shall ensure that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.	All volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse/harassment prevention, detection, and response. Number of volunteers and contractors currently authorized to enter agency facilities: Number and percent of volunteers and contractors who have been trained in agency's policies and procedures regarding sexual abuse/harassment prevention, detection, and response:
115.32 (b)	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, but all volunteers and contractors who have contact with inmates shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.	All volunteers and contractors who have contact with inmates have at least been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.
115.32 (c)	The agency shall maintain documentation confirming that volunteers and contractors understand the training they have received.	The agency maintains documentation confirming that the volunteers/contractors understand the training they have received.
115.33 (a)	During the intake process, inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.	Inmates receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or harassment. Percent of inmates admitted during past 12 months were given this information at intake:
115.33 (b)	Within 30 days of intake, the agency shall provide comprehensive education to inmates either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.	Agency comprehensively educates inmates within 30 days of intake on their rights to be free from sexual abuse/harassment, from retaliation for reporting such incidents, and on agency policies and procedures for responding to such incidents. Percent of inmates admitted during past 12 months received such education within 30 days of intake.
115.33 (c)	Current inmates who have not received such education shall be educated within one year of the effective date of the PREA standards, and shall 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.	All inmates admitted prior to August 20, 2012 have received education specified in 115.33 (a) by August 20, 2013. Percent of these inmates were so educated during this period: Of those who were not educated per 115.33 (a) during this period, all inmates have been educated subsequently. Agency policy requires that inmates who are transferred from one facility to another be educated regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents to the extent that the policies and procedures of the new facility differ from those of the previous facility.
115.33 (d)	The agency shall provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.	Inmate PREA education is available in accessible formats for all inmates including those who are: <ul style="list-style-type: none"> • limited English proficient • deaf • visually impaired • otherwise disabled • have limited reading skills
115.33 (e)	The agency shall maintain documentation of inmate participation in these education sessions.	The agency maintains documentation of inmate participation in PREA education sessions.
115.33 (f)	In addition to providing such education, the agency shall ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats.	The agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, inmate handbooks, or other written formats.

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115.34 (a)	In addition to the general training provided to all employees pursuant to § 115.31, the agency shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings.	The agency itself conducts investigations of allegations of sexual abuse. If not, skip to 115.34(d) If yes, agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.
115.34 (b)	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.	Agency requires investigators to be trained in 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.
115.34 (c)	The agency shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.	Agency maintains documentation showing that investigators have completed the required training. Number of investigators the agency currently employs: Number of investigators who have completed the required training:
115.34 (d)	Any State entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations.	If an external State agency or Department of Justice component conducts investigations of allegations of sexual abuse, all agents and investigators trained in conducting investigations in confinement settings as per 115.34(b) above.
115.35 (a)	The agency shall ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: (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; and (4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.	Agency policy requires full and part-time medical and mental health care practitioners who work regularly in its facilities be trained in: (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; and (4) how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. Number and percent of all medical and mental health care practitioners who work regularly at this facility who received the training required by agency policy.
115.35 (b)	If medical staff employed by the agency conduct forensic examinations, such medical staff shall receive the appropriate training to conduct such examinations.	Agency medical staff at this facility conducts forensic exams? If yes, all such staff at this facility received the appropriate training.
115.35 (c)	The agency shall maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere.	Agency maintains documentation pertaining to the training referenced above.
115.35 (d)	Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.31 or for contractors and volunteers under § 115.32, depending upon the practitioner's status at the agency.	All medical and mental health staff at this facility received training mandated under sections: (1) 115.31 (for employees) and (2) 115.32 (for volunteers and contractors).
115.41 (a)	All inmates shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.	The agency has a policy that requires screening (upon admission to a facility or transfer to another facility) for risk of sexual abuse victimization or sexual abusiveness toward other inmates.
115.41 (b)	Intake screening shall ordinarily take place within 72 hours of arrival at the facility.	The agency has a policy requiring that inmates be screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their intake. Percent of inmates entering the facility within the past 12 months (either through intake or transfer) who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility. For those not screened within 72 hours, provide documentation that explains why this did not occur.

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115.41 (c)	Such assessments shall be conducted using an objective screening instrument.	Risk assessment is conducted using an objective screening instrument.
115.41 (d)	<p>The intake screening shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization:</p> <p>(1) Whether the inmate has a mental, physical, or developmental disability;</p> <p>(2) The age of the inmate;</p> <p>(3) The physical build of the inmate;</p> <p>(4) Whether the inmate has previously been incarcerated;</p> <p>(5) Whether the inmate’s criminal history is exclusively nonviolent;</p> <p>(6) Whether the inmate has prior convictions for sex offenses against an adult or child;</p> <p>(7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;</p> <p>(8) Whether the inmate has previously experienced sexual victimization;</p> <p>(9) The inmate’s own perception of vulnerability; and</p> <p>(10) Whether the inmate is detained solely for civil immigration purposes.</p>	<p>The intake screening uses, at a minimum, the following criteria to assess inmates for risk of sexual victimization:</p> <p>(1) Whether the inmate has a mental, physical, or developmental disability;</p> <p>(2) The age of the inmate;</p> <p>(3) The physical build of the inmate;</p> <p>(4) Whether the inmate has previously been incarcerated;</p> <p>(5) Whether the inmate’s criminal history is exclusively nonviolent;</p> <p>(6) Whether the inmate has prior convictions for sex offenses against an adult or child;</p> <p>(7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;</p> <p>(8) Whether the inmate has previously experienced sexual victimization;</p> <p>(9) The inmate’s own perception of vulnerability; AND</p> <p>(10) Whether the inmate is detained solely for civil immigration purposes.</p>
115.41 (e)	The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing inmates for risk of being sexually abusive.	<p>For assessing inmates’ risk of being sexually abusive the initial screening considers:</p> <p>(1) prior acts of sexual abuse</p> <p>(2) prior convictions for violent offenses, and</p> <p>(3) history of prior institutional violence or sexual abuse, as known to the agency.</p>
115.41 (f)	Within a set time period, not to exceed 30 days from the inmate’s arrival at the facility, the facility will reassess the inmate’s risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.	<p>Agency policy requires that the facility reassess each inmate’s risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate’s arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening.</p> <p>Percent of inmates entering the facility (either through intake or transfer) within the past 12 months who were re-assessed 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.</p> <p>For those not reassessed within 30 days, provide documentation explaining why this did not occur.</p>
115.41 (g)	An 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.	The agency has a policy requiring that the 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.
115.41 (h)	Inmates may not be 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.	<p>Agency policy prohibits the disciplining of inmates for refusing to answer (or for not disclosing complete information related to) the following questions:</p> <ul style="list-style-type: none"> • Whether the inmate has a mental, physical, or developmental disability. • Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming. • Whether the inmate has previously experienced sexual victimization. • The inmate’s own perception of vulnerability.
115.41 (i)	The agency shall implement 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.	The facility has appropriate controls in place to ensure that sensitive information pursuant to this standard is not exploited by staff or other inmates.
115.42 (a)	The agency shall use information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.	The agency/facility uses information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.
115.42 (b)	The agency shall make individualized determinations about how to ensure the safety of each inmate.	The agency/facility makes individualized determinations about how to ensure the safety of each inmate.

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115.42 (c)	In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems.	In determining whether to assign a transgender or intersex inmate in a facility for male or female inmates, and in making other housing and program assignments for transgender and intersex inmates, the agency makes the decisions in the following manner: On a case-by-case basis: - Considering whether the placement will ensure the inmate's health and safety; and - Considering whether the placement would present management or security problems.
115.42 (d)	Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.	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.
115.42 (e)	A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration.	Transgender or intersex inmate's own views with respect to his or her own safety given serious consideration in placement and programming assignments.
115.42 (f)	Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.	Transgender and intersex inmates are given the opportunity to shower separately from other inmates.
115.42 (g)	The agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.	The agency ensures that lesbian, gay, bisexual, transgender, or intersex inmates are not placed in dedicated facilities, units, or wings solely on the basis of their sexual orientation, genital status, or gender identity unless such placement is in a dedicated facility, unit, or wing . A consent decree, legal settlement, or legal judgment requires the facility to establish a dedicated facility, unit, or wing for lesbian, gay, bisexual, transgender or intersex inmates.
115.43 (a)	Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.	The agency has a policy prohibiting the placing of 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. Number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the last 12 months for 1 to 24 hours awaiting completion of assessment.
115.43 (b)	Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document: (1) The opportunities that have been limited; (2) The duration of the limitation; and (3) The reasons for such limitations.	Inmates placed in segregated housing for this purpose still have access to the following, to the extent possible: • Programs • Privileges • Education • Work opportunities If the facility restricts access to programs, privileges, education or work opportunities, the facility documents the following: • The opportunities that have been limited. • The duration of the limitations. • The reasons for such limitations.
115.43 (c)	The facility shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.	Inmates are placed in involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged. Inmates are placed in involuntary segregated housing for a period that does not ordinarily exceed 30 days. Number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing in the past 12 months for 30 days or longer while awaiting alternative placement.
115.43 (d)	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, the facility shall clearly document: (1) The basis for the facility's concern for the inmate's safety; and (2) The reason why no alternative means of separation can be arranged.	The facility clearly documents the basis for the facility's concern for the inmate's safety; and the reason why no alternative means of separation could have been arranged for inmates involuntarily housed in segregation due to high risk of sexual victimization. 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, percent of case files that include BOTH the following: (a) a statement of the basis for facility's concern for the inmates safety, and (b) the reason or reasons why alternative means of separation cannot be arranged:
115.43 (e)	Every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population.	If an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.

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115.51 (a)	The agency shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.	The agency has established procedures allowing for multiple internal ways for inmates to report privately to agency officials about: <ul style="list-style-type: none"> • 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.
115.51 (b)	The agency shall also provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.	The agency provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency. These procedures enable the designated entity or office to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, thus allowing inmates to remain anonymous upon request. The agency has a policy requiring inmates detained solely for civil immigration purposes be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security.
115.51 (c)	Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.	The agency has a policy mandating that staff accept reports of sexual assault and sexual harassment made verbally, in writing, anonymously and from third parties. This policy requires staff to document verbal reports.
115.51 (d)	The agency shall provide a method for staff to privately report sexual abuse and sexual harassment of inmates.	The agency has established procedures for staff to privately report sexual abuse and sexual harassment of inmates. Staff are informed of these procedures in the following ways:
115.52 (a)	An agency shall be exempt from this standard if it does not have administrative procedures to address inmate grievances regarding sexual abuse.	The agency has an administrative procedure for dealing with inmate grievances regarding sexual abuse.
115.52 (b)	(1) The agency shall not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse. (2) The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.	Agency policy or procedure allows an inmate to submit a grievance regarding an allegation of sexual abuse at any time regardless of when the incident is alleged to have occurred. Agency policy requires an inmate to use an informal grievance process, or otherwise to attempt to resolve with staff, an alleged incident of sexual abuse.
115.52 (c)	The agency shall ensure that— (1) An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and (2) Such grievance is not referred to a staff member who is the subject of the complaint.	Agency policy and procedure allows an inmate to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. Agency policy and procedure requires that an inmate grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint.
115.52 (d)	(1) The agency shall 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. (2) Computation of the 90-day time period shall not include time consumed by inmates in preparing any administrative appeal. (3) The agency may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made. (4) At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level	The agency has policy and procedures that require that a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. In the past 12 months, number of grievances that were filed that alleged sexual abuse: Number of grievances alleging sexual abuse that reached final decision within 90 days after being filed: In the past 12 months, number of grievances alleging sexual abuse that involved extensions because final decision was not reached within 90 days. In cases where the agency requested an extension of the 90 day period to respond to a grievance, and that had reached final decisions by the time of the PREA audit, some grievances took longer than a 70 day extension period to resolve. The agency always notifies the inmate in writing when the agency files for an extension, including notice of the date by which a decision will be made.
115.52 (e)	(1) Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates. (2) If a third party 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	Agency policy and procedure permits third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of inmates. Agency policy and procedure require that if the inmate declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the inmate's decision to decline. Number of the grievances alleging sexual abuse filed by inmates in the past 12 months, in which the inmate declined third-party assistance, containing documentation of the inmate's decision to decline.

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115.52 (f)	<p>(1) The agency shall establish procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse.</p> <p>(2) After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the agency shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final agency decision shall document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.</p>	<p>The agency has a policy and established procedures for filing an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse.</p> <p>The agency's policy and procedures for emergency grievances alleging substantial risk of imminent sexual abuse require an initial response within 48 hours.</p> <p>Number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months, and what number of those had an initial response within 48 hours.</p> <p>The agency's policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse require that a final agency decision be issued within 5 days.</p> <p>Number of the grievances alleging substantial risk of imminent sexual abuse filed in the past 12 months that reached final decisions within 5 days.</p>
115.52 (g)	<p>The agency may discipline an inmate for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the inmate filed the grievance in bad faith.</p>	<p>The agency has a written policy that limits its ability to discipline an inmate for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the inmate filed the grievance in bad faith.</p> <p>In the past 12 months, number of inmate grievances alleging sexual abuse that resulted in disciplinary action by the agency against the inmate for having filed the grievance in bad faith.</p>
115.53 (a)	<p>The facility shall 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, and, for persons detained solely for civil immigration purposes, immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.</p>	<p>The facility provides inmates with access to outside victim advocates for emotional support services related to sexual abuse by doing the following:</p> <ul style="list-style-type: none"> • 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; • Giving inmates mailing addresses and telephone numbers (including toll-free hotline numbers where available) of immigrant service agencies for persons detained solely for civil immigration purposes; • Enabling reasonable communication between inmates and these organizations, in as confidential a manner as possible.
115.53 (b)	<p>The facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.</p>	<p>The facility informs inmates, prior to giving them access to outside support services, the extent to which such communications will be monitored.</p> <p>The facility informs inmates, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply for disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant federal, state, or local law.</p>
115.53 (c)	<p>The agency shall 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. The agency shall maintain copies of agreements or documentation showing attempts to enter into such agreements.</p>	<p>The agency or facility maintains memoranda of understanding or other agreements with community service providers that are able to provide inmates with emotional support services related to sexual abuse?</p> <p>If YES to 115.53(c)-1, the agency or facility maintains copies of those agreements?</p> <p>If NO to 115.53(c)-1, the agency or facility has attempted to enter into memorandums of understanding or other agreements with community service providers that are able to provide such services.</p> <p>If YES to 115.53(c)-3, the agency maintains documentation of the attempts to enter into such agreements.</p>
115.54 (a)	<p>The agency shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.</p>	<p>The agency or facility provides a method to receive third-party reports of inmate sexual abuse or sexual harassment.</p> <p>The agency or facility publicly distributes information on how to report inmate sexual abuse or sexual harassment on behalf of inmates.</p>
115.61 (a)	<p>The agency shall require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p>	<p>The agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency.</p> <p>The agency requires all staff to report immediately and according to agency policy retaliation against inmates or staff who reported such an incident.</p> <p>The agency requires all staff to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p>

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115.61 (b)	Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.	Apart from reporting to the designated supervisors or officials and designated state or local service agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.
115.61 (c)	Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.	<p>Medical and mental health practitioners are required to inform inmates at the initiation of services of their duty to report, and the limitations of confidentiality, unless otherwise precluded by Federal, State, or local law.</p> <p>Medical and mental health practitioners are required to report immediately and according to agency policy to designated supervisors or officials pursuant to paragraph (a) of this section.</p>
115.61 (d)	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the agency shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.	If the victim is under the age of 18 or considered a vulnerable adult under State or local law, agency policy states that the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws.
115.61 (e)	The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators.	The facility reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators.
115.62 (a)	When an agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the inmate.	<p>When the agency or facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the inmate (i.e., does it take some action to assess appropriate protective measures without unreasonable delay).</p> <p>In the past 12 months, number of times the agency or facility has determined that an inmate was subject to substantial risk of imminent sexual abuse.</p> <p>If the agency or facility made such determinations in the past 12 months, how much time passed before taking action, on average.</p> <p>Longest time before taking action: If not "immediate" (i.e., without unreasonable delay), please explain.</p>
115.63 (a)	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.	<p>The agency has a policy requiring that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency/facility where sexual abuse is alleged to have occurred.</p> <p>During the last twelve months, number of allegations that the facility received that an inmate was abused while confined at another facility? Please describe your facility's response to these allegations.</p>
115.63 (b)	Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.	Agency policy requires that the facility head has to provide such notification as soon as possible, but no later than 72 hours after receiving the allegation.
115.63 (c)	The agency shall document that it has provided such notification.	The agency/facility documents that it has provided such notification within 72 hours of receiving the allegation.
115.63 (d)	The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.	<p>Agency/facility policy requires that allegations received from other facilities/agencies are investigated.</p> <p>In the last twelve months, number of allegations of sexual abuse the facility received from other facilities.</p> <p>The facility ensured that the allegations referenced in 115.63 (d)-2 were investigated in accordance with agency policy.</p>

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Title	Description of Standard	Measure
115.64 (a)	<p>Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to:</p> <p>(1) Separate the alleged victim and abuser;</p> <p>(2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;</p> <p>(3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and</p> <p>(4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.</p>	<p>Agency policy requires that, upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to:</p> <ol style="list-style-type: none"> 1. Separate the alleged victim and abuser; 2. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; 3. If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; 4. If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. <p>In the past 12 months, number of allegations that an inmate was sexually abused:</p> <p>Of these allegations, number of times the first security staff member to respond to the report:</p> <ol style="list-style-type: none"> 1. Separate the alleged victim and abuser; 2. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; 3. If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; 4. If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
115.64 (b)	<p>If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.</p>	<p>Agency policy requires that, if the first staff responder is not a security staff member, that responder shall be required to:</p> <ol style="list-style-type: none"> 1. Request that the alleged victim not take any actions that could destroy physical evidence; 2. Notify security staff. <p>Of the allegations that an inmate was sexually abused made in the past 12 months, number of times a non-security staff member the first responder.</p> <p>Of those allegations responded to first by a non-security staff member, number of times that staff member:</p> <ol style="list-style-type: none"> 1. Request that the alleged victim not take any actions that could destroy physical evidence; 2. Notify security staff.
115.65 (a)	<p>The facility shall develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p>	<p>The facility developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p>
115.66 (a)	<p>Neither the agency nor any other governmental entity responsible for collective bargaining on the agency's behalf shall enter into or renew any collective bargaining agreement or other agreement that limits 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.</p>	<p>The agency or any other governmental entity responsible for collective bargaining on the agency's behalf has entered into or renewed any collective bargaining agreement or other agreement since August 20, 2012, or since the last PREA audit, whichever is later.</p> <p>If yes, the agreement permits the agency to remove alleged staff sexual abusers from contact with any inmates pending an investigation or of a determination of whether and to what extent discipline is warranted.</p>
115.66 (b)	<p>Nothing in this standard shall restrict the entering into or renewal of agreements that govern:</p> <p>(1) The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of §§ 115.72 and 115.76; or</p> <p>(2) Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.</p>	<p>NA</p>

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Title	Description of Standard	Measure
115.67 (a)	The agency shall establish a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and shall designate which staff members or departments are charged with monitoring retaliation.	The agency has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. The Agency designates which staff members or departments are charged with monitoring for possible retaliation.
115.67 (b)	The agency shall employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.	The agency employs multiple protection measures for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. Protection measures the agency employs: 1. Housing changes or transfers for inmate victims or abusers; 2. Removal of alleged staff or inmate abusers from contact with victims; 3. Emotional support services:
115.67 (c)	For at least 90 days following a report of sexual abuse, the agency shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. Items the agency should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.	For at least 90 days following a report of sexual abuse, the agency monitors 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. The agency acts promptly to remedy any such suspected retaliation. The agency monitors: 1. Any inmate disciplinary reports; 2. Any housing changes; 3. Any program changes; 4. Any negative performance reviews or reassignments of staff. The agency continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need. Number of times an incident of retaliation occurred in the past 12 months?
115.67 (d)	In the case of inmates, such monitoring shall also include periodic status checks.	In the case of inmates, monitoring retaliation incidents includes periodic status checks.
115.67 (e)	If any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation.	If any other individual who cooperates with an investigation expresses a fear of retaliation, the agency takes appropriate measures to protect that individual against retaliation.
115.67 (f)	An agency's obligation to monitor shall terminate if the agency determines that the allegation is unfounded.	NA
115.68 (a)	Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of § 115.43.	The use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse complies with the requirements of § 115.43?
115.71 (a)	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.	If the agency/facility conducts its own investigation into allegations of sexual abuse and sexual harassment, it does so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.
115.71 (b)	Where sexual abuse is alleged, the agency shall use investigators who have received special training in sexual abuse investigations pursuant to § 115.34.	Where sexual abuse is alleged, the agency uses investigators who have received special training in sexual abuse investigations pursuant to 115.34.
115.71 (c)	Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.	Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator.
115.71 (d)	When the quality of evidence appears to support criminal prosecution, the agency shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.	When the quality of evidence appears to support criminal prosecution, the agency/facility conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
115.71 (e)	The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. No agency shall require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.	The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and not determined by the person's status as inmate or staff. The agency prohibits requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation for such an allegation.

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115.71 (f)	Administrative investigations: (1) Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and (2) Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.	Administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse. Administrative investigation[s] is documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. If staff actions or failures to act contributed to the abuse, such findings are documented in the written reports for consideration during the sexual abuse incident review required under section 115.86.
115.71 (g)	Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.	If the agency/facility is responsible for conducting its own criminal investigations, criminal investigations are documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.
115.71 (h)	Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.	Substantiated allegations of conduct that appear to be criminal are referred for prosecution. Number of sustained allegations of conduct that appear to be criminal that were referred for prosecution since August 20, 2012 or since the last PREA audit, whichever is later.
115.71 (i)	The agency shall retain all written reports referenced in paragraphs (f) and (g) of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.	Agency retains all written reports referred in paragraphs [f] and [g] of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.
115.71 (j)	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.	Agency/facility policy and practice provide that the departure of the alleged abuser or victim from the employment or control of the facility or agency not provide a basis for terminating an investigation.
115.71 (k)	Any State entity or Department of Justice component that conducts such investigations shall do so pursuant to the above requirements.	Any State entity or Department of Justice component that conducts such investigations does so pursuant to the above requirements.
115.71 (l)	When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.	When outside agencies investigate sexual abuse the facility cooperates with outside investigators and endeavor to remain informed about the progress of the investigation.
115.72 (a)	The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.	The agency imposes a standard of a preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual abuse or sexual harassment are substantiated.
115.73 (a)	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, the agency shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.	The agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated Number of investigations of alleged inmate sexual abuse that were completed by the agency in the past 12 months: Of the investigations that were completed of alleged sexual abuse in the past 12 months, number of inmates who were notified, verbally or in writing, of the results of the investigation:
115.73 (b)	If the agency did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.	If an outside entity conducts such investigations, does the agency request the relevant information from the investigative entity in order to inform the inmate as to the outcome of the investigation? Number of investigations that were completed by an outside agency of alleged inmate sexual abuse in the agency's facilities in the past 12 months? Of the outside agency investigations that were completed of alleged sexual abuse in the past 12 months, number of inmates alleging sexual abuse in an agency facility who were notified verbally or in writing of the results of the investigation:
115.73 (c)	Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever: (1) The staff member is no longer posted within the inmate's unit; (2) The staff member is no longer employed at the facility; (3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or	There has been a substantiated or unsubstantiated complaint (i.e. not unfounded) of sexual abuse committed by a staff member against an inmate in an agency facility in the past 12 months. If yes, in each case the agency subsequently informed the inmate whenever: (a) the staff member was no longer posted within the inmate's unit; (b) the staff member was no longer employed at the facility; (c) the agency learned that the staff member has been indicted on a charge related to sexual abuse within the facility; or (d) the agency learned that the staff member has been convicted on a charge related to sexual abuse within the facility.

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Title	Description of Standard	Measure
115.73 (d)	Following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever: (1) The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or (2) The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.	Following an inmate's allegation that he or she has been sexually abused by another inmate in an agency facility, the agency subsequently informs the alleged victim whenever; the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
115.73 (e)	All such notifications or attempted notifications shall be documented.	The agency has a policy that all notifications to inmates described under this standard are documented. Number of notifications to inmates that were made pursuant to this standard in the past 12 months: Of those notifications made in the past 12 months, number that were documented?
115.73 (f)	An agency's obligation to report under this standard shall terminate if the inmate is released from the agency's custody.	NA
115.76 (a)	Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.	Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. In the past twelve months, number of staff from the facility that have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies:
115.76 (b)	Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.	Termination is the likely disciplinary sanction for staff who engaged in sexual abuse.
115.76 (c)	(c) Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.	Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary In the past twelve months, number of staff from the facility that have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies:
115.76 (d)	All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.	All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. In the past twelve months, 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:
115.77 (a)	Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.	Agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. Agency policy requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with inmates. Contractors or volunteers have been reported to law enforcement agencies or licensing bodies for engaging in sexual abuse of inmates. If yes, number of contractors/volunteers reported to law enforcement for engaging in sexual abuse of inmates
115.77 (b)	The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.	The facility takes remedial measures and prohibits further contact with inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. If yes, examples of remedial measures that the facility has enforced in the case of any other violation of agency sexual abuse or sexual harassment by a contractor or volunteer:
115.78 (a)	Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.	Inmates are subject to disciplinary sanctions in accordance with a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse. Inmates are subject to disciplinary sanctions in accordance with a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. Number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility being audited in the past twelve months: Number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility being audited in the past twelve months:

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Title	Description of Standard	Measure
115.78 (b)	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.	Sanctions are proportionate with the nature and circumstances of the abuses committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.
115.78 (c)	The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.	The 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.
115.78 (d)	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.	The facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for abuse. (Note: a facility need not have such a program in order to be found in compliance with this Standard.) If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility considers whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.
115.78 (e)	The agency may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.	The agency disciplines inmates for sexual conduct with staff only upon finding that the staff member did not consent to such contact.
115.78 (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.	The agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.
115.78 (g)	An agency may, in its discretion, prohibit all sexual activity between inmates and may discipline inmates for such activity. An agency may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced.	If the agency prohibits all sexual activity between inmates and disciplines inmates for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced.
115.81 (a)	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.	All inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.41 are offered a follow-up meeting with a medical or mental health practitioner. If yes, the follow-up meeting was offered within 14 days of the intake screening. Percent of inmates who disclosed prior victimization during screening who were offered a follow up meeting with a medical or mental health practitioner: Medical and mental health staff maintain secondary materials (e.g., form, log) documenting compliance with the above required services.
115.81 (b)	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.	If this facility is a prison, all prison inmates who have ever previously perpetrated sexual abuse are offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.
115.81 (c)	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, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.	SEE 115.81(a) ABOVE
115.81 (d)	Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.	Information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners. If no, the information shared with other staff strictly is limited to informing security and management decisions, including treatment plans, housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.
115.81 (e)	Medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.	Medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18 .

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Title	Description of Standard	Measure
115.82 (a)	Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.	<p>Inmate victims of sexual abuse receive timely and unimpeded access to emergency medical treatment and crisis intervention services.</p> <p>The nature and scope of these services are determined by medical and mental health practitioners according to their professional judgment.</p> <p>Medical and mental health staff maintain secondary materials (e.g., form, log) documenting compliance with the above required services.</p>
115.82 (b)	If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical and mental health practitioners.	If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim pursuant to §115.62 and immediately notify the appropriate medical and mental health practitioners.
115.82 (c)	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.	Inmate victims of sexual abuse are offered timely information about access to emergency contraception and sexually transmitted infection prevention or treatment prophylaxis , in accordance with professionally accepted standards of care.
115.82 (d)	Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.	Treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
115.83 (a)	The facility shall offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.	The facility offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.
115.83 (b)	The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.	Evaluation and treatment of such victims includes, 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.
115.83 (c)	The facility shall provide such victims with medical and mental health services consistent with the community level of care.	If the facility provides medical and mental health services, are those services consistent with the community level of care.
115.83 (d)	Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.	Female victims of sexual abuse while incarcerated are offered pregnancy tests.
115.83 (e)	If pregnancy results from the conduct described in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.	If pregnancy results from sexual abuse while incarcerated, victims receive timely and comprehensive information about, and timely access to, all lawful pregnancy-related medical services.
115.83 (f)	Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.	Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.
115.83 (g)	Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.	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.
115.83 (h)	All prisons shall attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.	The facility attempts to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.
115.86 (a)	The facility shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded.	<p>The facility conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded.</p> <p>Excluding only “unfounded “ incidents, number of administrative investigations of alleged sexual abuse completed at the facility in the past twelve months:</p>
115.86 (b)	Such review shall ordinarily occur within 30 days of the conclusion of the investigation.	<p>Sexual abuse incident reviews are ordinarily conducted within 30 days of concluding the investigation.</p> <p>Excluding only “unfounded” incidents, number of administrative investigations of alleged sexual abuse completed at the facility in the past twelve months that were followed by a sexual abuse incident review within 30 days:</p>
115.86 (c)	The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.	The sexual abuse incident review team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners.

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Title	Description of Standard	Measure
115.86 (d)	<p>The review team shall:</p> <p>(1) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;</p> <p>(2) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;</p> <p>(3) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;</p> <p>(4) Assess the adequacy of staffing levels in that area during different shifts;</p> <p>(5) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and</p> <p>(6) Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1)-(d)(5) of this section, and any recommendations for improvement and submit such report to the facility head and PREA compliance manager.</p>	<p>The team uses this review to identify any policy, training, or other issues that indicate a need to change policy or practice to better prevent, detect, and/or respond to incidents of sexual abuse.</p> <p>The review team:</p> <ol style="list-style-type: none"> 1. Considers whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility. 2. Examines the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse. 3. Assesses the adequacy of staffing levels in that area during different shifts. 4. Assesses whether monitoring technology should be deployed or augmented to supplement supervision by staff. <p>The facility prepares a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1)-(d)(5) of this section, and any recommendations for improvement and submits such report to the facility head and PREA compliance manager.</p>
115.86 (e)	The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.	The facility implements the recommendations for improvement or documents its reasons for not doing so.
115.87 (a)	The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.	<p>The agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.</p> <p>The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.</p>
115.87 (b)	The agency shall aggregate the incident-based sexual abuse data at least annually.	The agency aggregates the incident-based sexual abuse data at least annually.
115.87 (c)	The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.	<p>The agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.</p> <p>The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.</p>
115.87 (d)	The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.	The agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.
115.87 (e)	The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.	<p>The agency obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.</p> <p>The data from private facilities complies with SSV reporting re: content.</p>
115.87 (f)	Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.	The agency provided Department of Justice data from the previous calendar year upon request.
115.88 (a)	<p>The agency shall 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:</p> <p>(1) Identifying problem areas;</p> <p>(2) Taking corrective action on an ongoing basis; and</p> <p>(3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.</p>	<p>The agency reviews data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training, including:</p> <ul style="list-style-type: none"> • Identifying problem areas; • Taking corrective action on an ongoing basis; • Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole.
115.88 (b)	Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.	<p>The annual report includes a comparison of the current year's data and corrective actions with those from prior years.</p> <p>The annual report provides an assessment of the agency's progress in addressing sexual abuse.</p>

PREA Audit: Compliance Measures
Adult Prisons and Jails

Title	Description of Standard	Measure
115.88 (c)	The agency's report shall be 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.	<p>The agency makes its annual report readily available to the public at least annually through its website.</p> <p>If no, the agency makes it available through other means.</p> <p>The annual reports are approved by the agency head.</p>
115.88 (d)	The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.	<p>When the agency redacts material from an annual report for publication the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility.</p> <p>The agency indicates the nature of material redacted.</p>
115.89 (a)	The agency shall ensure that data collected pursuant to § 115.87 are securely retained.	The agency ensures that the incident-based and aggregate data are securely retained.
115.89 (b)	The agency shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means.	<p>Agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website.</p> <p>If NO, the agency makes it available through other means.</p>
115.89 (c)	Before making aggregated sexual abuse data publicly available, the agency shall remove all personal identifiers.	Before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers.
115.89 (d)	The agency shall 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.	The agency maintains sexual abuse data collected pursuant to §115.87 for at least 10 years after the date of initial collection, unless Federal, State or local law requires otherwise.
115.93 (a)	The agency shall conduct audits pursuant to §§ 115.401–.405.	NA