

PREA Facility Audit Report: Final

Name of Facility: El Dorado Correctional Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 02/07/2024

Auditor Certification

The contents of this report are accurate to the best of my knowledge.



No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.



I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.



Auditor Full Name as Signed: Valerie Wolfe Mahfood

Date of Signature: 02/07/2024

AUDITOR INFORMATION

Auditor name: Mahfood, Valerie Wolfe

Email: wolfemahfood@aol.com

Start Date of On-Site Audit: 12/14/2023

End Date of On-Site Audit: 12/17/2023

FACILITY INFORMATION

Facility name: El Dorado Correctional Facility

Facility physical address: 1737 U.S. 54 , El Dorado, Kansas - 67042

Facility mailing address:

Primary Contact

Name:	Matthew Moore
Email Address:	matthew.moore@ks.gov
Telephone Number:	316-322-2001

Warden/Jail Administrator/Sheriff/Director

Name:	Tommy Williams
Email Address:	tommy.williams@ks.gov
Telephone Number:	316-322-2000

Facility PREA Compliance Manager

Name:	
Email Address:	
Telephone Number:	

Facility Health Service Administrator On-site

Name:	Sarah Madgwick
Email Address:	smadgwick@TeamCenturion.com
Telephone Number:	316-322-2072

Facility Characteristics

Designed facility capacity:	1920
Current population of facility:	1716
Average daily population for the past 12 months:	1692
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males

Age range of population:	18071
Facility security levels/inmate custody levels:	minimum, Low Medium, High Medium, Maximum, Special Management
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	637
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	192
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	143

AGENCY INFORMATION

Name of agency:	Kansas Department of Corrections
Governing authority or parent agency (if applicable):	
Physical Address:	714 Southwest Jackson Street, Topeka, Kansas - 66603
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:

Name:	
Email Address:	
Telephone Number:	

Agency-Wide PREA Coordinator Information

Name:	Allison Basinger	Email Address:	allison.basinger@Ks.gov
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Facility AUDIT FINDINGS

Summary of Audit Findings

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

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

Number of standards exceeded:

12

- 115.14 - Youthful inmates
- 115.15 - Limits to cross-gender viewing and searches
- 115.18 - Upgrades to facilities and technologies
- 115.31 - Employee training
- 115.32 - Volunteer and contractor training
- 115.34 - Specialized training: Investigations
- 115.41 - Screening for risk of victimization and abusiveness
- 115.51 - Inmate reporting
- 115.67 - Agency protection against retaliation
- 115.83 - Ongoing medical and mental health care for sexual abuse victims and abusers
- 115.86 - Sexual abuse incident reviews
- 115.401 - Frequency and scope of audits

Number of standards met:

33	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2023-12-14
2. End date of the onsite portion of the audit:	2023-12-17

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	☒ Yes ☐ No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	Just Detention International, Family Life Center Response, Safe House Crisis Center

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	1920
15. Average daily population for the past 12 months:	1716
16. Number of inmate/resident/detainee housing units:	11
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	☐ Yes ☒ No ☐ Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	1645
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	22
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	250
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	42
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	15
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	21
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	43

44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	18
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	27
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	177
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0
48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	Inmates were allowed to self-select out of and/or into all targeted categories during the interview process. As such, while facility records may or may not include inmates within targeted categories, targeted protocols were still completed for any inmate who self-selected into any targeted protocol at the time of the interview. Also, it should be noted that if there were not sufficient numbers of inmates assigned to the facility within a targeted group, oversampling was done in other targeted groups to ensure the minimum number of targeted interviews were conducted.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	637

50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	143
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	192
52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	NA
INTERVIEWS	
Inmate/Resident/Detainee Interviews	
Random Inmate/Resident/Detainee Interviews	
53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	20
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	☒ Age ☒ Race ☒ Ethnicity (e.g., Hispanic, Non-Hispanic) ☒ Length of time in the facility ☒ Housing assignment ☒ Gender ☒ Other ☐ None

If "Other," describe:	Custody, Job Assignment, Program Activity, Physical Characteristics, Psychological Characteristics, Primary Language Spoken, or other distinguishing factors amongst population.
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	Housing Rosters
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	☒ Yes ☐ No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No barriers to completing interviews were noted
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	20
As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	4

61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	3
62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:	3
63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:	2
64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:	1
65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:	7
66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:	3

67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:	6
68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:	7
69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	☒ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).	Reviewed facility documentation. Asked Random Staff if any inmates were ever placed in segregated housing for the risk of sexual victimization or for having alleged to have been a victim of sexual abuse. Asked Random inmates if they had ever placed in segregated housing for the risk of sexual victimization or for having alleged to have been a victim of sexual abuse. Reviewed current assignment rosters, interviewed inmates having filed previously disclosed sexual abuse or filed sexual abuse/harassment allegations to determine if said inmates had been placed in segregation for filing said allegations.

70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	Inmates were allowed to self-select out of and/or into all targeted categories during the interview process. As such, while facility records may or may not include inmates within targeted categories, targeted protocols were still completed for any inmate who self-selected into any targeted protocol at the time of the interview. Also, it should be noted that if there were not sufficient numbers of inmates assigned to the facility within a targeted group, oversampling was done in other targeted groups to ensure the minimum number of targeted interviews were conducted.
Staff, Volunteer, and Contractor Interviews	
Random Staff Interviews	
71. Enter the total number of RANDOM STAFF who were interviewed:	12
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	☒ Length of tenure in the facility ☒ Shift assignment ☒ Work assignment ☒ Rank (or equivalent) ☒ Other (e.g., gender, race, ethnicity, languages spoken) ☐ None
If "Other," describe:	Gender, race, ethnicity, languages spoken, or other distinguishing factors amongst staff relative to their employment
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	☒ Yes ☐ No

74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No barriers to completing random interviews were noted.
Specialized Staff, Volunteers, and Contractor Interviews	
Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.	
75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	14
76. Were you able to interview the Agency Head?	☒ Yes ☐ No
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	☒ Yes ☐ No
78. Were you able to interview the PREA Coordinator?	☒ Yes ☐ No
79. Were you able to interview the PREA Compliance Manager?	☒ Yes ☐ No ☐ NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

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

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

	☒ Other
If "Other," provide additional specialized staff roles interviewed:	Commissary, Quarter Master, Mailroom Staff, Training Staff, Chaplain, Law Library, and SAFE/SANE staff associated with two local hospitals
81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	☒ Yes ☐ No
a. Enter the total number of VOLUNTEERS who were interviewed:	2
b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)	☐ Education/programming ☐ Medical/dental ☐ Mental health/counseling ☒ Religious ☐ Other
82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	☒ Yes ☐ No
a. Enter the total number of CONTRACTORS who were interviewed:	5

b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	☐ Security/detention ☐ Education/programming ☒ Medical/dental ☒ Food service ☐ Maintenance/construction ☐ Other
83. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.
SITE REVIEW AND DOCUMENTATION SAMPLING	
Site Review	
PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.	
84. Did you have access to all areas of the facility?	☒ Yes ☐ No
Was the site review an active, inquiring process that included the following:	
85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	☒ Yes ☐ No

86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	☒ Yes ☐ No
87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	☒ Yes ☐ No
88. Informal conversations with staff during the site review (encouraged, not required)?	☒ Yes ☐ No
89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).	NA
Documentation Sampling	
Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.	
90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?	☒ Yes ☐ No
91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).	Additional document sampling was done both at random, as well as in coordination with comments received from inmates and staff during the interview process.

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	24	0	24	0
Staff-on-inmate sexual abuse	6	0	6	0
Total	30	0	30	0

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	8	0	8	0
Staff-on-inmate sexual harassment	10	0	10	0
Total	18	0	18	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	2	3	10	9
Staff-on-inmate sexual abuse	0	0	3	3
Total	2	3	13	12

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	1	6	1
Staff-on-inmate sexual harassment	0	1	8	1
Total	0	2	14	2

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:

15

99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any sexual abuse investigation files)
Inmate-on-inmate sexual abuse investigation files	
100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	10
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
Staff-on-inmate sexual abuse investigation files	
103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	4
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)

105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
Sexual Harassment Investigation Files Selected for Review	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	1
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	☐ Yes ☒ No ☐ NA (NA if you were unable to review any sexual harassment investigation files)
Inmate-on-inmate sexual harassment investigation files	
108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0
109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	☐ Yes ☐ No ☒ NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	☐ Yes ☐ No ☒ NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)

Staff-on-inmate sexual harassment investigation files

111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:

1

112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?

☒ Yes

☐ No

☐ NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)

113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?

☒ Yes

☐ No

☐ NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)

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

All cases are initially treated and reviewed as criminal allegations until the merits of the allegation, or subsequent investigation, determine the complaint to be less than criminal. At that point, the investigation, which still continues until exhausted, is deemed administrative in nature.

SUPPORT STAFF INFORMATION**DOJ-certified PREA Auditors Support Staff**

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

☐ Yes

☒ No

Non-certified Support Staff

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

☐ Yes

☒ No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

☐ The audited facility or its parent agency

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

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

☐ Other

Identify the name of the third-party auditing entity

PREA Auditors of America

Standards	
Auditor Overall Determination Definitions	
- Exceeds Standard (Substantially exceeds requirement of standard) - Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period) - Does Not Meet Standard (requires corrective actions)	
Auditor Discussion Instructions	
Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.	

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: - Kansas Department of Corrections (KDOC) IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 - KDOC Hierarchical Chart, January 2023 - KDOC PREA Compliance Managers, 2/2023 - El Dorado Correctional Facility (EDCF) Organizational Chart, 2023 - EDCF Administrative Organizational Chart, 2-1-24 - EDCF General Orders (GO) #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews:

- Agency Head
- Agency PREA Coordinator
- EDCF PREA Compliance Manager
- EDCF Facility Warden
- Intermediate or Higher-Level Facility Staff
- Random Staff

Site Review Observations:

- The Kansas Department of Corrections PREA Coordinator, along with the facility warden and the EDCF PREA Compliance Manager, oversee the EDCF Prison Rape Elimination Act (PREA) program.
- The EDCF PREA Compliance Manager is physically assigned to the EDCF and maintains a permanent office, with routine activities, within said institution as a function of assignment.

Standard Subsections:

- IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19; and EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20; provide written direction mandating a zero-tolerance policy toward all forms of sexual abuse and sexual harassment. These policies outline both the agency's and the facility's approach to preventing, detecting, and responding to such conduct.

(A) The agency has employed an agency-wide PREA Coordinator. This position is inside the upper hierarchy of organizational authority within the KDOC. The PREA Coordinator's sole responsibility within the agency is to facilitate institutional needs specific to the implementation and advancement of the PREA standards. The PREA Coordinator, in coordination with facility wardens, oversees the implementation of PREA standards at the facility level.

	(B) The State of Kansas operates 10 penal institutions. Each warden within said institution has been charged with designating a PREA point person, who holds the supervisory rank of PREA Compliance Manager. The EDCF Warden affirms the designation of the EDCF PREA Compliance Manager to serve in this capacity. The EDCF PREA Compliance Manager further confirms both sufficient time and authority to coordinate the facility's efforts in complying with the PREA standards. Reasoning & Findings Statement: This standard works to ensure the agency operates with a zero-tolerance acceptance level of sexual abuse and sexual harassment of incarcerated persons. As well, the standard requires that individual facilities operate with respect to the agency's zero-tolerance expectation. In this regard, the agency has implemented policies designed to prevent, detect, and respond to sexual abuse and sexual harassment. In addition to the overall agency policy, each facility, to include EDCF, has further developed its own coordinated response plan to effectively apply the agency's broad policy to the uniqueness of their individual units. Such forethought ensures that every facet of the agency's policy is included in the standard operating procedures unique to every institution. As such, the agency has clearly met the basic requirements of this standard.
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115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard Auditor Discussion Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC Interstate Compact Residents, 2/23 · KDOC Memo of Contracts, 2-17-23 · KDOC and Johnson County DOC Contract, 3-1-23 · Johnson County Adult Residential Center Final PREA Audit, 6-1-22 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews:

- Agency Contract Administrator
- Agency PREA Coordinator

Site Review Observations:

- The EDCF is a publicly operated correctional facility through the Kansas Department of Corrections (KDOC).

Standard Subsections:

(A) The KDOC contracts for the confinement of its inmates with one private agency; namely, Johnson County Department of Corrections (JCDOC). As function of their contract with the KDOC, the JCDOC is required to remain PREA compliant. The JCDOC was last certified for PREA compliance via successful completion of a PREA Audit by an independent auditor on June 1, 2022. As such, the agency has complied with the Prison Rape Elimination Act, National Standards to Prevent, Detect, and Respond to Prison Rape (28 C.F.R. Part 115).

(B) This contract contains language requiring that the KDOC and the JCDOC to problem solve protocols, issues, and cases together towards the best outcome. This includes issues and concerns specific to the PREA. Additionally, both have agreed to develop and deliver training and information to KDOC staff. As evidenced by the KDOC's PREA Audit Schedule, all KDOC facilities, as well as contracted agencies, are routinely audited for their compliance with the PREA standards.

Reasoning & Findings Statement:

This standard ensures that all private entities contractually bound to the parent agency; namely, the Kansas Department of Corrections complies with the PREA standards. In this, prior to engaging any contractual relationship with a private agency, the KDOC ensures that all private agencies understand that it is the private agencies' absolute responsibility to comply with PREA regulations. Furthermore, once contracted with the KDOC, private agencies understand their continuing duty to remain in compliance with PREA standards. The KDOC has a contractual relationship with only one entity, of which, that entity is required to remain PREA complaint.

	Hence, the KDOC has meet the established requirements under this standard.
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115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: • KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 • KDOC IMPP #12-137D, Staff Analysis, Operational Staffing and Roster Management, 7-1-14 • EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 • EDCF IMPP #12-137D, Staff Analysis, Operational Staffing and Roster Management, Attachment C, 2-2-23 • EDCF Staffing Analysis Operational Note, 2023 • EDCF Staffing Analysis Report, 2020 • EDCF Staffing Analysis Report, 2023 • EDCF Unannounced Rounds Computer Log: November 2022 – August 2023 Interviews: • EDCF Facility Warden • EDCF PREA Compliance Manager • Agency PREA Coordinator • Intermediate or Higher-Level Facility Staff • Random Staff Site Review Observations:

- All inmate housing areas contain at least one security staff post that is continuously monitored by staff. All areas of high inmate traffic are assigned permanent staffing positions while in operation.
- During the site review, supervisory staff were observed making routine and frequent rounds throughout the facility. All the random staff interviewed indicated that supervisory staff were available to them as needed and did routinely conduct unannounced rounds within the facility.
- During supervisory rounds, ranking officials were routinely observed reviewing required documentation completed by line staff as a function of their duty posts.
- During the onsite portion of the audit, current EDCF Chronological Logs were inspected onsite to ensure supervisory staff were conducting, and properly documenting, their unannounced rounds.
- Electronic documentation reflecting auditor rounds were verified as documented on the day said rounds were conducted.

Standard Subsections:

(A) The KDOC, EDCF has developed and documented a staffing plan (2-2-23). Facility administrators are required to make their best efforts in complying with said plan on a regular basis to provide for adequate levels of staffing, and, where applicable, video monitoring to protect inmates against abuse (IMPP #12-137D). As explicitly noted within the Staffing Plan Annual Review template, the staffing plan takes into consideration generally accepted correctional practices when determining staffing needs and the need for video monitoring. If present, the staffing plan considers any judicial, federal investigative agencies, internal, and external oversight bodies' findings of inadequacy. The KDOC Staffing Plan Annual Review template requires that the unit considers components of the facility's physical plant, composition of the inmate population, number and placement of supervisory staff, institutional programming needs, applicable state and local laws, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, as well as any other relevant factors when determining staffing needs and the need for video monitoring. When asked, facility staff consistently remarked that unit administration does consider the nature of the inmate population and current issues/trends within the inmate population when determining staffing levels. As noted by the EDCF Warden, the facility staffing plan was predicated consistent with average daily number of inmates assigned to the EDCF, as well as the nature of the inmate population.

(B) KDOC policy governs the minimum use of employee staffing (IMPP #12-137D). If

unit staffing levels fall below these minimum requirements, KDOC policy further requires that facility staff properly document each occurrence. As noted by the EDCF PREA Compliance Manager, within the audit time frame, the staffing levels of EDCF have fallen below the required levels. The five most documented reasons for this fluctuation are: sick calls, vacation, staffing shortages, hospital duty and transports.

(C) The facility conducts an annual review of its staffing plan, with the last review being finalized as of February 2, 2023. As evidenced via interviews with agency and facility staff, in completing the EDCF staffing plan review, the facility did coordinate with the agency PREA Coordinator, as well as the EDCF PREA Compliance Manager, to develop the facility staffing plan in accordance with the aforementioned 115.13(a). PREA staffing members were consulted regarding the use of resources necessary to commit to the staffing plan, as well as the use of video monitoring technologies within the facility.

(D) The agency does have a policy in place to mandate unannounced rounds conducted by intermediate-level or higher-level supervisors (IMPP #10-103D, General Orders #09-130). This policy does require that staff document those rounds. The policy requires unannounced rounds to be made on all shifts, both day and night hours. The agency also prohibits staff from alerting others that said rounds are being conducted. The timing of the site reviewed allowed the auditor to observe the facility while employees from all three shifts were on duty. The auditor did observe line and supervisory staff document said rounds as appropriate. While conducting the site review, the auditor also reviewed numerous Chronological Logs throughout the facility. Said documentation did reflect that not only were supervisory staff conducting unannounced rounds as required, but these rounds were also clearly documented with the building's chronological log, as well as the electronic log. When interviewed, supervisory staff stated that they performed unannounced rounds at various times, as well as walked varying paces and routes when conducting unannounced rounds to make their presence less predictable. When interviewing random staff, all persons stated that supervisors routinely conduct unannounced rounds. Staff also noted that it was a violation of policy for supervisors to announce their rounds or for other staff to call ahead and warn their co-workers that a supervisor was conducting security rounds. When interviewing random inmates, most inmates stated that they have routinely witnessed supervisory staff conducting rounds throughout the facility. During the site review, it was further noted that both staff and inmates seemed comfortable with the presence of supervisory staff within inmate housing areas; thus, further supporting that said staff are routinely present in inmate housing areas.

Reasoning & Findings Statement:

This standard requires the facility to ensure adequate staffing levels that promote the

	safety of not only all inmates assigned to the facility, but also to ensure the safety of all correctional employees, volunteers, and contractors within the institution. During the audit time frame, the EDCF has deviated from its staffing plan, the five most common reasons for such a deviation being documented as required. To ensure that the sexual safety of inmates assigned to the EDCF is given sufficient weight in determining facility staffing needs, the EDCF staffing plan is reviewed annually in coordination with all EDCF PREA staffing components. In addition to staff monitoring, the facility itself contains sufficient video cameras located throughout institutional grounds. As well, to ensure meaningful and effective correctional supervision, EDCF supervisors routinely conduct and document unannounced rounds. The auditor observed, as well as the facility provided, evidence of documented unannounced rounds of supervisory ranks of various levels, up to and including, the facility warden. In total, the EDCF has complied with this standard.
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115.14 Youthful inmates	
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: • KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 • KDOC IMPP #11-102J, Juvenile Correctional Facility Preadmission, Admission, and Release Process, 6-23-23 • EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 • EDCF Memo, PREA Standard 115.14 – Youthful Inmates, 9-15-23 • EDCF Offenders Incarcerated Under 18: May – August, 2023 Interviews: • Agency PREA Coordinator • EDCF Facility Warden • EDCF PREA Compliance Manager • Random Staff

- Random/Targeted Inmates

Site Review Observations:

- While conducting the onsite review, the auditor did not observe any incarcerated individuals who appeared excessively youthful.
- In reviewing inmate documents, the auditor did not observe any inmate birthdays to be less than 18 years younger than the date of the onsite review.
- All inmates interviewed stated that they were at least 18 years of age and/or did not have any knowledge of any inmates assigned to the EDCF who were not at least 18 years of age.

Standard Subsections:

(A) The KDOC policy (IMPP #11-102J) prohibits the placement of any inmate less than 18 years of age in a housing unit within sight or sound of any adult inmates. As well, youthful inmates may not have any physical contact through the use of a shared dayroom or other common space, shower area, or sleeping quarters, with any adult inmate. The KDOC policy (IMPP #10-103D) further requires that should youthful inmates be within sight or sound of adult inmates, or be able to have physical contact with adult inmates, staff must maintain direct supervision over youthful inmates.

(B) As EDCF does not house any inmates less than the age of 18 years, the facility has most certainly maintained absolute sight and sound separation between youthful inmates and adult inmates.

(C) As EDCF does not house any inmate less than 18 years of age, its unit administration has absolutely avoided placing any adolescent inmate in isolation in order prevent said inmate from living within sight and sound of adult inmates. Hence, the EDCF has not denied any adolescent inmate the ability to engage in daily large-muscle exercise or to participate in other program or work opportunities.

Reasoning & Findings Statement:

This standard requires that the agency ensures sight and sound separation between

	youthful inmates and adult inmates. Alternatively, the standard requires that there is direct staff supervision when youthful inmates and adult inmates have the possibility of sight, sound, or physical contact. The State of Kansas prohibits the assignment of youthful inmates to adult housing units. Since EDCF contains only adult housing units, EDCF is prohibited from receiving, and subsequently housing, youthful inmates. Accordingly, the facility maintains an absolute and constant sight, sound, and physical barrier between youthful inmates and incarcerated adults. As such, the EDCF has exceeded the requirements of this standard.
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115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #12-103D, Inmate and Facility Searches, 12-12-17 · KDOC IMPP #10-143D, Transgender and Intersex Inmate Placement, 7-17-19 · KDOC FTO Module 2, Title 2.2, Pat Down Searches – Female · KDOC FTO Module 2, Title 2.3, Strip Searches · KDOC Female on Duty Notice, English · KDOC Female on Duty Notice, Spanish · KDOC Search Procedures, Corrections Officer Basic Training, FY 2016 · Centurion #P-F-06b, Transgender, Gender Non-Conforming Individuals and Patients with Gender Dysphoria, 7-1-20 · PRC FAQ, Opposite Gender Announcements, 2-19-14 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Female on Floor Announcement Log, November 2022 – August 2023 · EDCF Memo Trans/Cross-Gender Search Training, 1-10-23 · EDCF Trans/Cross-Gender Search Training Signed Roster, 4-18-23 · EDCF Female Pat Down Searches Training Form: 12-20-22, 12-26-22

- EDCF Employee PREA Training, FY 2023

Interviews:

- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Intermediate or Higher-Level Facility Staff
- Random Staff
- Inmates Who Identify as Lesbian, Gay, Bisexual, Transgender, or Intersex
- Random Inmates

Site Review Observations:

- During the site review, staff were routinely observed making cross-gender announcements when persons of the opposite gender entered inmate housing areas.
- Female on Duty signs were posted or available on all housing areas.
- Supervisory staff were observed conducting their routine security checks within inmate housing areas. Cross-gender announcements and supervisory rounds, both unannounced rounds and scheduled rounds, were subsequently documented on chronical activity logs.
- Privacy shields were in place inhibiting view into inmate toilets.
- Privacy shields were generally in place and/or available in medical examination rooms.
- Privacy curtains were noted in all shower areas.
- Video surveillance was not trained to areas where inmates might routinely be in a state of undress.

Standard Subsections:

(A) KDOC Policy (IMPP #12-103D, GO #09-130) prohibits cross-gender strip or visual

body cavity search of inmates except in exigent circumstances. Random staff interviews confirm that staff do not engage in such activities. All inmates interviewed noted that they had not been, nor had they witnessed any other inmate being, stripped or body cavity searched by a security staff member of the opposite gender.

(B) The EDCF is a male facility. As there are no biological females incarcerated at this facility, security staff always follow policy (IMPP #12-103D, GO #09-130) in refraining from conducting cross-gender pat-down searches of female inmates, even in exigent circumstances. As well, the facility has never denied any female inmate access to a regularly available program or out of cell activity.

(C) Agency policy (IMPP #12-103D, GO #09-130) requires that all cross-gender strip and visual body cavity searches are documented. The facility has not engaged in any cross-gender strip searches or cross-gender body cavity searches of its male prisoners within the audit period. However, under exigent circumstances, should the need arise, all random staff interviewed understood that such action, while extremely unlikely, would require extensive justification. As the EDCF does not house female inmates, no female inmates have ever been subject to a cross-gender search.

(D) The EDCF does have a policy (IMPP #10-103D) in place that allows inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. The facility does adhere to policy (IMPP #10-103D) requiring that staff of the opposite gender announce their presence when entering an inmate housing unit. In addition, the EDCF exceeds this requirement by providing visual notice of opposite gender staff presence to ensure all incarcerated persons with limited hearing are given an awareness notice. Specifically, the EDCF has installed neon lighted red notification signs that are immediately engaged upon the entrance of any female staff and then disengaged upon their exit. As these signs remain visible throughout inmate housing areas as long as female staff are present, they allow inmates with limited hearing, or inmates who simply didn't pay attention to the initial announcement, the opportunity to be continuously aware that opposite gender staff are present. All staff interviewed did confirm their adherence to said policy. During the facility site review, modesty barriers and curtains were generally in place to inhibit the viewing of any inmate in a state of undress. Lastly, a review of the facility's video surveillance found that cameras were not trained to areas where inmates might routinely be in a state of undress.

(E) KDOC policy (IMPP #10-143D, Centurion #P-F-06b) prohibits searching transgender or intersex inmates for the sole purpose of determining the inmates' genital status. In interviewing staff, it was clearly expressed that if the gender of an

inmate is unknown, conducting a strip search to determine the gender of the inmate would be inappropriate. It was generally expressed that to determine gender, staff would contact the medical department, their supervisor, or simply ask the inmate.

(F) Records reflect that 100% of EDCF security staff have been trained on proper policy specific to conducting inmate pat searches, cross-gender pat searches, and transgender pat searches in a professional and least intrusive manner as possible consistent with security needs. Additionally, refresher trainings have been provided to all security staff. All random staff interviewed did affirm their understanding of agency policy prohibiting the search of any transgender or intersex inmate for the sole purpose of determining the inmate's genital status. KDOC Policy IMPP #10-143D specifies that "no search or physical exam may be conducted by a non-medical person to determine an inmate's genital status." Policy (IMPP #12-103D) provides clear instructions on how staff will perform searches of any inmate, to include transgender inmates. Random security staff interviewed confirmed their understanding of how to conduct a proper search of transgender/intersex inmates assigned to the EDCF. As well, facility training rosters reflect that all correctional staff (100%) assigned to the EDCF have been trained on how to conduct searches in a professional and least intrusive manner as possible.

Reasoning & Findings Statement:

This standard requires that the agency place limits on cross-gender strip or cavity searches. The KDOC has enacted policies prohibiting said searches in the absence of exigent circumstances. In the event exigent circumstances require cross-gender strip or cavity searches, policy subsequently requires this search to be properly documented. The EDCF has sufficient male staff available to conduct all required searches. Inmate interviews reflect that they are not denied access to regularly scheduled programs due to a lack of male staff to conduct required searches. Additionally, agency security staff have been trained on the proper procedures to conduct pat searches on transgender or intersex inmates, which require said searches to be performed in a professional and least intrusive manner as possible. An extensive review of live video surveillance reflects cameras are not trained in areas where inmates would routinely be in a state of undress. The agency requires opposite gender staff to announce their presence upon entering inmate housing areas where persons may be in a state of undress. As well, the EDCF exceeds this requirement by providing visual notice of opposite gender staff presence to ensure all incarcerated persons with limited hearing are given an awareness notice. Specifically, the EDCF has installed neon lighted red notification signs that are immediately engaged upon the entrance of any female staff and then disengaged upon their exit. As these signs remain visible throughout inmate housing areas as long as female staff are present, they allow inmates with limited hearing, or inmates who simply didn't pay attention to the initial announcement, the opportunity to be continuously aware that opposite

	gender staff are present. During the onsite portion of the audit process, a female on duty announcement was routinely observed as opposite gender staff entered inmate housing areas. As such, the EDCF has exceeded the requirements of this standard.
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115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #10-138D, Assistance for Residents and/or Victims with Limited English Proficiency, 2-7-23 · KDOC IMPP #01-103D, Inmate Rule Book Distribution and Translation, 8-31-22 · KDOC My Language Line Contract, 1-2-20 · KDOC My Language Line Contract Cost · KDOC How to Access an Interpreter · KDOC PREA Training Acknowledgement Form, Spanish · KDOC Legal Services for Prisoners, Spanish · KDOC PREA Signage, Spanish, 2022 · KDOC PREA Poster, Spanish · KDOC Internal Investigations Brochure, Spanish · KDOC Sexual Assault Prevention Brochure, Spanish · KDOC Inmate PREA Training Pamphlets, Intake & 30 Days, Spanish · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Memo Staff Translators/Interpreters, 2023 · EDCF Inmate Roster of Inmates with Limited English Proficiency, November 2022 - April 2023

Interviews:

- Agency Head
- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Intermediate or Higher-Level Facility Staff
- Random Staff
- Inmates with Disabilities
- Inmates with Limited English Proficiency

Site Review Observations:

- Staff assigned to housing areas entered each area within the building to loudly announce inmate information, to include when female staff entered the housing areas.
- Red neon Female on Duty signs are engaged when female staff enter any housing area.
- Handicap accommodations were easily recognizable and accessible throughout the facility.
- PREA Notices, as well as other advisement notices, were posted in languages spoken by significant portions of the inmate population, namely English and Spanish.
- Language Line services are available for staff to communicate with inmates who do not speak English.
- Staff translators are also available if needed.

Standard Subsections:

(A) The KDOC has developed agency-wide policies (IMPP #10-103D, IMPP #10-138D)

to enhance communication efforts with disabled inmates; such as those with hearing, vision, speech, or other physical disabilities; psychiatric or other intellectual disabilities, and those with limited English proficiency; so as to provide said inmates with 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. PREA educational information is provided verbally and in writing. The EDCF maintains a mandatory for use contract for translation and interpretation services to assist inmates who do not speak a language common to EDCF staff. In this, Language Line Services can be used to translate PREA, as well other confidential information.

When interviewing staff, employees were aware of the need to obtain staff interpreters for sensitive security matters, such as PREA related investigations. All staff were aware that other inmates could not be used to translate for any inmate during a sexual abuse/harassment investigation or incident. During the audit time frame, there have been no instances of EDCF using inmate interpreters for PREA related matters. Inmates with physical and/or intellectual disabilities were interviewed. These inmates all stated that their disabilities did not prevent them from participating in any facility-based services or that KDOC has made accommodations for their disabilities, to include the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

(B) The PREA informational brochure is printed in two different languages: English and Spanish. As needed, the Language Line service can also be used to translate PREA information into other languages.

(C) The KDOC has developed agency-wide policies that prohibit the use of inmate interpreters or other types of inmate-based assistance in the transmission or subsequent investigation of security sensitive information, such as PREA related matters (IMPP #10-103D, IMPP #10-138D). Rather, "the facility must provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, other otherwise disabled, as well as to inmates who have limited reading skills" (IMPP #10-103D). The agency has developed this agency-wide policy to enhance communication efforts with disabled inmates in order to provide said inmates with an equal opportunity to directly participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment without the use of inmate interpreters or other types of inmate-based assistance. EDCF staff are aware of this requirement and do not utilize inmate interpreters for security sensitive matters.

Reasoning & Findings Statement:

	This standard empowers all inmates with the ability to redress government in light of claims of sexual abuse and sexual harassment. An essential component to that requirement is the ability to access PREA information, services, and support services. Inmates with disabilities; either cognitive, physical, or cultural, may require additional assistance in achieving said access. Hence, it is necessary for the agency to provide additional measures that ensure said inmates have equal access. The KDOC recognizes this need and has created policies to address it. Furthermore, the agency has taken steps to ensure that the inmate population is aware of translation services via a posted notices within all dorm housing. The EDCF maintains sufficient stocks of PREA informational brochures in both English and Spanish. Lastly, it should be noted that at no time during the audit time frame, has EDCF used inmate interpreters to help agency staff communicate with other inmates regarding security sensitive information. Rather, when needed, staff interpreters or the language assistance phone line are commonly used for communication with inmates who have limited English proficiency.
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115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #02-126D, Recruitment and Selection Process, 1-30-18 · KDOC IMPP #13-107D, Community Participation: Mentoring, 7-1-14 · KDOC IMPP#13-101D, Community Participation: Volunteering, 10-22-14 · KDOC Mandatory Pre-Service PREA Questions, 2/17 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Mandatory Pre-Hire Questions: 33 Questionnaires, 2023 · EDCF PREA Contract Background Checks: 29 Background Checks, 2023 · EDCF Previous Employment Verification Letter: 3-20-23a, 3-20-23b, 3-20-23c, 7-14-23, 7-18-23a, 7-18-23b

Interviews:

- Agency PREA Coordinator
- Administrative (Human Resources) Staff
- EDCF Facility Warden
- EDCF PREA Compliance Manager

Site Review Observations:

- Review of additional employee files onsite for required PREA/criminal background documentation
- Review of EDCF employee PREA training tracking spreadsheet
- Review of EDCF contract PREA training tracking spreadsheet

Standard Subsections:

(A) The KDOC has developed agency-wide policies (IMPP #02-126D, IMPP #10-103D) that prohibit the hiring or promotion of employees and contracted workers who have engaged in sexual abuse, been convicted of engaging or attempting to engage in a sexual activity with inmates, or have been civilly or administratively adjudicated to have engaged in a sexual activity with inmates while in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution. The agency also has policies that stipulate prior to all hiring and promotional decisions of employees and contract workers, any incidents of sexual abuse and harassment will be considered. Prior to hiring any new employee or contract worker at the facility level, KDOC Human Resource staff ensure that criminal background checks have been conducted on the prospective employee. As well, as required by policy, KDOC/EDCF Human Resource staff ensure that all previous institutions of employment are contacted to determine if candidates have any previously substantiated claims of sexual abuse or resigned during a pending investigation of such claims. Conversely, policy also requires that the EDCF cooperates with other correctional and law enforcement agencies to ensure that accurate information regarding PREA related employment laws are effectively shared between agencies.

(B) KDOC policy (#02-126D) requires the facility to consider any incidents of sexual harassment in determining whether to hire/promote anyone who may have contact with inmates. Likewise, in speaking with the KDOC Human Resource representative, agency policy requires Human Resource staff to also consider any incidents of sexual abuse/harassment in determining whether to retain the services of a contractor who may have contact with inmates.

(C) Before hiring or promoting employees, policy (#02-126D) requires the agency to perform criminal background checks. Policy ((#02-126D) also requires the agency to conduct checks with prior employers for any applicant previously employed by a correctional facility. During the audit time frame, the EDCF has hired 228 persons who may have contact with inmates. Prior to their employment, all such persons were subject to a criminal background check. During the onsite portion of the audit, employee records were randomly checked against staff to ensure background checks were conducted as required.

(D) Agency policy requires that prior to enlisting the services of any contractors who may have contact with inmates, the agency performs criminal background records checks on said contractors. During the audit timeframe, the EDCF engaged 5 contractors, with all such persons having received a criminal background record check. A random review of current contractors for EDCF reflects that background checks have been performed on all such persons (100%), as well as, where applicable, required subsequent checks within the required time frame.

(E) Once employed, agency policy (#02-126D) requires that criminal background checks are conducted every five years to ensure that said persons have not been found to have engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution. As well, employees have an affirmative duty to report any contact they may have had with other law enforcement agencies and to report any sexual misconduct they may have been found guilty of at any other institution (#02-126D). Furthermore, employees are made aware that failing to provide this information, or providing false information regarding sexual misconduct, is grounds for employee discipline, to include termination of employment (#02-126D). A review of EDCF's current uniform employee background spreadsheet reflects that all persons (100%) working at the EDCF have received their initial criminal background check, as well as, where applicable, required subsequent checks within the required time frame.

(F) All applicants, as well as current employees, are required to submit a PREA history questionnaire form (#02-126D). This document directly asks employees who may have contact with inmates to disclose any previous sexual misconduct that may

	have occurred in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution. Additionally, the KDOC does impose a continuing affirmative duty on all employees to disclose any misconduct found within Section A of this standard (#02-126D). Review of documentation specific to EDCF confirms the facility's adherence to said policies. (G) Agency policy expressly advises employees that material omissions or providing false information regarding the aforementioned misconduct is grounds for termination. (H) Agency policy allows that unless prohibited by law, the KDOC 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 (#02-126D). Reasoning & Findings Statement: This standard requires the agency to consider the sexual safety of inmates in all hiring and promotion decisions within the agency. The agency has numerous policies in place to ensure that end. A random review of current employees and contractors for EDCF reflects that background checks have been performed on all such persons, as well as, where applicable, required subsequent checks within the required time frame. The EDCF Human Resource Department has also developed standardized tracking methods to ensure timely background checks, and subsequent checks, of applicants and continuing employees are conducted as required. Review of employee and contractor training files reflect that the EDCF Human Resource Department is in compliance with agency policy and said policy has been institutionalized. As such, the EDCF meets the requirements of this standard.
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115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and

Harassment, 10-16-19

- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20
- EDCF Camera List, 2023

Interviews:

- Agency Head
- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager

Site Review Observations:

- Observed video monitoring technologies present within the facility.
- Reviewed live video surveillance across the facility.

Standard Subsections:

(A) Per the EDCF Warden, the EDCF has not designed or constructed substantial modifications of the existing facility since the last PREA audit.

(B) The EDCF has updated the video monitoring system or other monitoring technology since the last PREA audit, namely, through the new installation of video cameras. As noted by the EDCF Warden, and demonstrated during the onsite portion of the audit, the placement and consideration of video cameras was extensively considered during construction of the Medium Housing Unit.

Reasoning & Findings Statement:

Within the audit time frame, EDCF has not designed or constructed a substantial modification of the existing facility. Within the audit time frame, the EDCF has installed additional video cameras throughout the facility. As a function of its annual

	staffing review, the EDCF does consider, among other factors, generally accepted correctional practices and the use of video monitoring technologies. Currently, the EDCF has almost 500 cameras that provide additional coverage throughout the institution. In all staffing decisions, as well as decisions involving the use of video monitoring technology, the EDCF has sought to maximize the facility's ability to protect inmates from sexual abuse. As such, the EDCF has exceeded the provisions in this requirement.
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115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #22-103D, Investigation Procedures, 4-1-14 · KDOC IMPP #10-119D, Medical and Religious Diets and Alternative Diet, 12-12-17 · KDOC IMPP #06-101D, Research and Evaluation Activities, 3-30-16 · KDOC Contract for Comprehensive Health Care Services, 3-27-20 · KDOC Adult HS Report, June 2019 · KDOC KJCC HS Report, FY 2019 · KDOC SANE Provider Information · Kansas Statutes, Public Health, Section 65-448 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Medical and Mental Health Staffing Matrix, 2023 · EDCF EAI Investigative Report, 9-26-22 · EDCF Kansas Bureau of Investigation (KBI) Forensic Laboratory Report, 6-12-23 · EDCF TCF Report of Investigation, 1-7-21 · EDCF MOU Safehouse Crisis Center, 8-29-23

- EDCF MOU Family Life Center of Butler County, 9-10-23

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Investigative Staff
- Random Staff
- Medical Staff
- Mental Health Staff
- SANE/SAFE Hospital Staff
- Local Sexual Assault Crisis Center Staff
- Inmates Who Reported Sexual Abuse

Site Review Observations:

- Observed Medical Department and privacy screens/limitations
- Reviewed EDCF Sexual Abuse/Harassment Investigation Files

Standard Subsections:

(A) Agency policy (IMPP #10-103D, IMPP #22-103D) mandates that all allegations of sexual abuse and sexual harassment will be investigated. KDOC Enforcement, Apprehensions, and Investigations (EAI) Investigators have been trained to conduct administrative and criminal investigations. In these, policy requires that EAI staff follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative procedures and criminal prosecutions.

(B) As the EDCF does not house youth, it is not necessary to utilize a

developmentally appropriate youth protocol. Per the EDCF investigator, policy does, however, still require the agency to utilize the U.S. Department of Justice's Office on Violence Against Women protocol; namely, A National Protocol for Sexual Assault Medical Forensic Examination, Adults/Adolescents as the evidence collection protocol manual (IMPP #22-103D, IMPP #10-103D).

(C) In accordance with agency protocol, the EDCF does ensure that all inmates are given access to forensic medical examinations without cost (Kansas Statute #65-448, IMPP #10-103D). These exams are performed at an outside facility by qualified SAFE/SANE staff. As SAFE/SANE staff are either on duty or on call 24 hours a day, seven days a week, the examination will always be performed by a qualified medical practitioner. The facility utilizes the Wesley Medical Center and St. Francis Hospital for forensic exams. During the audit time frame, the EDCF has facilitated seven (7) such exams.

(D) The agency does attempt to make a victim's advocate available for inmate support. In this, policy (IMPP #10-103D) requires that upon notification of an allegation of abuse, the institution shall make all efforts to provide the victim with a community-based advocacy provider. If, however, such an advocate cannot be provided, the inmate will be connected to a qualified staff member trained in providing emotional support. The facility utilizes the Family Life Center of Butler County and Safehouse Crisis Center as its local rape crisis centers.

(E) In accordance with policy (IMPP #10-103D), and as requested by the victim, the local rape crisis center advocate may remain with the inmate through the forensic medical examination process and investigatory interviews. As requested, this person may provide emotional support, crisis intervention, information, and referrals.

(F) Agency policy (IMPP #10-103D, IMPP #22-103D) allows that KDOC EAI Investigators are responsible for investigating criminal allegations of sexual abuse. To this effect, per the EDCF Investigator, KDOC policy does require that EAI Investigators utilize the U.S. Department of Justice's Office on Violence Against Women protocol; namely, A National Protocol for Sexual Assault Medical Forensic Examination, Adults/Adolescents as the evidence collection protocol manual.

(G) The auditor is not required to audit this provision.

(H) Only qualified staff members, who have received appropriate training, may serve

	as victim advocates. All such, staff have been appropriately screened and trained for that purpose. Through memorandums of understanding with local rape crisis centers, the Family Life Center of Butler County and Safehouse Crisis Center, the agency has ensured that all persons who have contact with EDCF inmates have been appropriately screened and trained, as well as received education concerning sexual assault and forensic examination issues in general. Reasoning & Findings Statement: This standard concerns evidence protocol and forensic medical examinations. The EDCF has policies in place to ensure proper accountability during evidence collection and the forensic exam process. During the audit time frame, the EDCF has not initiated the evidence protocol and forensic medical examination process. As evidenced during the interview process, facility staff are very much aware of the policies and have standard practices in place to ensure the proper flow of the evidence collection process. If needed, the EDCF has trained staff who can service as victim advocates. As well, a memorandum of understanding is in force between the EDCF and the Family Life Center of Butler County, as well as the Safehouse Crisis Center, to ensure that inmates are afforded access to a local victim's advocate during forensic exams. As such, the EDCF has met the requirements of this standard.
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115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard Auditor Discussion Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #22-103D, Investigation Procedures, 11-4-22 · KDOC EAI Investigations Protocol Manual, 10/15 · KDOC Public Website Reporting Information · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF PREA Tracking Case Log, 2023 · EDCF PREA Incident Report: 11-21-22, 11-30-22, 12-17-22, 12-29-22, 1-13-23,

1-18-23,

2-5-23, 3-10-23a, 3-10-23b, 3-13-23, 4-12-23, 4-30-23, 5-15-23, 5-23-23, 6-6-23,
7-10-23,

7-23-23, 7-24-23, 8-8-23, 8-18-23

Interviews:

- Agency Head
- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Investigative Staff
- Medical Staff
- Mental Health Staff
- SAFE/SANE Staff
- Family Life Center of Butler County Staff
- Inmates Who Reported Sexual Abuse

Site Review Observations:

- Observed Medical Department and privacy screens/limitations
- KDOC Website
- Reviewed Sexual Abuse/Harassment Investigations

Standard Subsections:

(A) Policy (IMPP #10-103D, IMPP #22-103D, GO #09-130) requires that administrative or criminal investigations are completed for all allegations of sexual abuse and sexual harassment. Within the audit time frame, the EDCF has received forty-six (46) sexual

	abuse and sexual harassment allegations. (B) When of a criminal nature, the KDOC refers allegations of sexual abuse and sexual harassment to the KDOC EAI Division, a law enforcement agency with legal authority to conduct criminal investigations. The KDOC has published this policy on the agency website. All referrals to the EAI are documented by the agency. (C) The KDOC EAI, as well as facility investigators, are responsible for conducting all criminal and administrative investigations of sexual abuse and sexual harassment. (D) The agency is responsible for conducting administrative and criminal investigations of alleged sexual abuse. (E) The auditor is not required to audit this provision. Reasoning & Findings Statement: This standard ensures that proper referrals of allegations are made for further investigations by an agency with proper authority to conduct criminal investigations. The KDOC maintains the Enforcement, Apprehensions, and Investigations (EAI) Division, which is a law enforcement branch of the agency legally authorized to conduct criminal and administrative sexual abuse and sexual harassment investigations. EDCF investigative staff refer all investigations, as appropriate, to the EAI Division for further processing in accordance with policy. As such, the EDCF complies in all material ways with this standard for the relevant review period.
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115.31	Employee training
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and

Harassment, 10-16-19

- KDOC IMPP #03-104D, Minimum Departmental Training Standards, 12-1-17
- KDOC Staff Booklet – PREA: What Staff Need to Know
- KDOC PREA Basic Prison Rape Elimination Act Training; Staff, Contractors, and Volunteers, FY20
- KDOC PREA Staff Training Acknowledge Form
- KDOC PREA Training PowerPoint
- KDOC PREA for Supervisor PowerPoint, 12-3-20
- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20
- EDCJ Bi-Monthly PREA Training PowerPoints: 10-25-21, 8-19-22, 5-17-23
- EDCF Weeks 1-3 PREA Training Quizzes
- EDCF Certificate of Completion, FY24 PREA Comprehensive Training: 37 Staff Certificates

Interviews:

- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Administrative (Human Resources) Staff
- Medical Staff
- Mental Health Staff
- Random Staff

Site Review Observations:

- Random review of employee files, as well as matched review of employee files to employees interviewed, to confirm documentation of required PREA training.

Standard Subsections:

(A) Policy (IMPP #10-103D) requires all employees to be fully trained on the agency's zero-tolerance policy for sexual abuse and sexual harassment. As verified by Human Resource staff, such training is initially performed as a function of the hiring process. PREA: What Staff Need to Know training is a comprehensive analysis of state policies and the PREA standards. A review of training material reflects the agency's zero-tolerance stance on sexual abuse and sexual harassment, as well as highlights how employees may fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. Employees are also informed that inmates have a right to be free from sexual abuse and sexual harassment, to be free from retaliation for reporting said abuse and harassment, the dynamics of sexual abuse/harassment, reactions to sexual abuse/harassment, how to detect and respond to signs of threatened and actual sexual abuse, how to avoid inappropriate relationships with inmates, how to comply with relevant mandatory reporting laws specific to reporting abuse to outside authorities, and how to communicate effectively and professionally with inmates; including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates. During random staff interviews, all employees confirmed receipt of said training. A review of random staff employee files confirmed receipt of said training for said employees.

(B) Training material reviews demonstrate that the material is appropriate for the gender of inmates at the employees' facility. As well, agency policy (IMPP #10-103D) requires that "staff must receive additional training if they are reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa." During the audit time frame, the EDCF did not receive any (0) transferred employees to the institution who were previously assigned to an institution that houses incarcerated individuals of a different gender. Upon transfer, said employees were provided PREA refresher training appropriate for the gender of inmate assigned to the EDCF.

(C) As noted by the EDCF PREA Compliance Manager, all actively employed staff have received their initial PREA training, as well as continued training as appropriate based on agency policy (IMPP #10-103D). Following this initial training, subsequent refresher trainings are provided to staff at mandatory time intervals required by policy; specifically, their annual In-Service Training. Additionally, the EDCF exceeds the training requirements of this standard by providing additional trainings throughout the year. Namely staff are provided subsequent training materials via agency email, accompanied by a graded quiz, at an average of six to seven times per year.

(D) All training is electronically verified and documented upon completion of the KDOC PREA online training curriculum.

	Reasoning & Findings Statement: This standard relates to employee training. The agency has clearly established training expectations and well-developed curriculums. EDCF maintains compliance with those imperatives. Staff are required to complete yearly PREA training during their annual In-Service. All training is electronically documented upon completion, with EDCF maintaining an overall master list of staff having completed said training. Additionally, the EDCF has exceeded the training requirements of this standard by providing mandatory training lessons, complete with a quiz, on an average of 6-7 times per year. During staff interviews, all employees affirmed their having received significant amounts of training as related to the PREA standards. When asked the series of questions noted within Subsection A of this standard, all staff knew and understood their responsibilities within the agency's zero-tolerance policy. As such, EDCF has exceeded the requirements of this standard.
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115.32	Volunteer and contractor training
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #13-101D, Volunteering, 10-22-14 · KDOC IMPP #03-104D, Minimum Departmental Training Standards, 12-1-17 · KDOC Basic Volunteer Training Slides · KDOC Annual Volunteer Training Slides · KDOC Volunteers and Temporary Contractors Brochure · KDOC Volunteer/Mentor Application Form · KDOC Mandatory Pre-Service PREA Questions · KDOC EDCF Volunteer/Mentor Release of Information Agreement · KDOC Volunteer/Mentor Acknowledgement Regarding PREA Training and KDOC

Sexual Assault Prevention and Intervention Program

- KDOC Undue Familiarity/Boundaries Training Acknowledgement
- KDOC Code of Ethics
- KDOC Volunteer Agreement
- KDOC Volunteer Professional Standards and Rules of Conduct
- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20
- EDCF PREA Initial Contractor Training Acknowledgement: 2-9-23a, 2-9-23b, 5-18-22a, 5-18-22b, 9-8-22a, 9-8-22b, 11-30-22a, 11-30-22b
- EDCF PREA Annual Contractor Training Acknowledgement: 4-15-19, 5-13-19, 1-13-20, 5-12-22, 6-16-22, 6-20-22, 8-22-22, 3-17-23, 4-4-23, 8-11-23
- EDCF Security and Background Check, Volunteers: 11-15-22a, 11-15-22b, 2-24-23
- EDCF PREA Annual Volunteer Training Acknowledgement: 3-11-23a, 3-11-23b, 3-11-23c, 3-11-23d, 3-11-23e, 3-11-23f, 3-11-23g, 3-11-23h, 3-11-23i, 3-11-23j, 3-11-23k, 3-11-23l, 3-11-23m, 3-11-23n
- EDCF Volunteer PREA Training Roster, 2-21-23

Interviews:

- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Administrative (Human Resources) Staff
- Medical Staff
- Mental Health Staff
- Contractors Who May Have Contact with Inmates
- Volunteers Who May Have Contact with Inmates

Site Review Observations:

- Review of volunteer and contractor worker standard of conduct training forms.
- Review of volunteer and contractor PREA training forms.

Standard Subsections:

(A) Policy (IMPP #13-101D) requires that all volunteers receive training specific to “sexual assault prevention/PREA” prior to serving at the facility. Furthermore, all volunteers are required to complete annual refresher PREA training. At the time of the audit, the EDCF has had 225 volunteers and contract workers who could have had contact with inmates during the audit time frame. As affirmed by the EDCF PREA Compliance Manager, 100% of those persons have received appropriate PREA training, dependent on their level of contact with inmates, prior to their entrance into the facility. Volunteer and contractor files were reviewed for receipt of required training documentation.

(B) As affirmed by the EDCF PREA Compliance Manager, all volunteers and contract workers have received PREA training appropriate for their role on the facility. When interviewed, all volunteers and contract workers stated that they had been made aware of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment. They further stated that if the need arose, they could report an incident of sexual abuse or sexual harassment to their supervisor or a security staff member. Volunteer and contractor files were reviewed for receipt of required training documentation.

(C) Volunteers and contractors are required to receive PREA training prior to working/volunteering within the facility. After receipt of training, contractors and volunteers sign an acknowledgement form indicating the date of the training and that they understood the training that they had received. The facility then maintains a copy of all training files belonging to both volunteers and contractors. A review of training files specific to the volunteers/contractors interviewed confirmed that said persons did receive appropriate PREA training relative to their responsibilities within the facility.

Reasoning & Findings Statement:

	The agency requires all volunteers and contractors to receive formal training on the agency's zero-tolerance policy for sexual abuse and sexual harassment. In this, volunteers and contractors must be provided sufficient notice of the agency's zero-tolerance policy of sexual abuse and sexual harassment. As well, said persons must be informed of how to report any knowledge they may have regarding such abuse. Lastly, the standard requires that the agency maintain appropriate training records to verify that volunteers and contractors understood the training that they had received. As with employee training, the EDCF has ensured both volunteers and contractors conducting business on the facility have received and subsequently documented their PREA trainings. EDCF has then exceeded the training requirement of both volunteers and contractors by requiring said persons to not only receive the initial training required by the PREA Standards, but then to further that training with annual PREA freshers. In speaking with volunteers and contracted staff, all persons stated that they understood the nature of the PREA and their own roles within it. As well, volunteers and contracted staff were also able to articulate their responsibilities in reporting acts of sexual abuse and sexual harassment. As such, EDCF has exceeded in its compliance with the requirements of this standard.
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115.33 Inmate education	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #10-138D, Assistance for Residents and/or Victims with Limited English Proficiency, 2-7-23 · KDOC Inmate Rule Book, 6-10-19 · KDOC Internal Investigations Brochure, Spanish · KDOC Sexual Assault Brochure, Spanish · KDOC Inmate PREA Orientation Acknowledgement Pamphlet, English · KDOC Inmate PREA Orientation Acknowledgement Pamphlet, Spanish · KDOC Inmate PREA Comprehensive Training Acknowledgement Pamphlet, English

- KDOC Inmate PREA Comprehensive Training Acknowledgement Pamphlet, Spanish
- KDOC Zero Tolerance Brochure, English
- KDOC Sexual Abuse Reporting Poster, English
- KDOC Sexual Abuse Reporting Poster, Spanish
- KDOC Internal Investigations Brochure, English
- KDOC Internal Investigations Brochure, Spanish
- KDOC Sexual Assault Brochure, English
- KDOC Sexual Assault Brochure, Spanish
- Kansas Administrative Rules, 44-15-204, Special Procedures for Sexual Abuse Grievances
- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20
- EDCF Inmate PREA Orientation Acknowledgement Form: November 2022 – May 2023: 57 Signed Inmate Acknowledgement Forms
- EDCF Reception Unit Orientation Checklist: November 2022 – August 2023: 40 Signed Inmate Acknowledgement Forms

Interviews:

Agency PREA Coordinator

- EDCF PREA Compliance Manager
- Intake Staff
- Staff Who Perform Screening for Risk of Victimization and Abusiveness
- Random Inmates

Site Review Observations:

- Observed the inmate reception area.
- Observed PREA Risk Screening process.
- Observed PREA informational postings in Inmate Housing, Education, Library,

Law Library, and other areas of high traffic.

- Observed a variety of PREA related materials and information available for inmate use within the facility libraries and on facility-based inmate computer terminals.
- Reviewed inmate files for documentation of PREA training.

Standard Subsections:

(A) Policy (IMPP #10-103D) requires that upon receipt into the facility, 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.” Within the audit, the EDCF has received 738 inmates during the Intake process. Of these, 100% were given information about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment upon Intake.

(B) As noted by Intake staff, inmates are immediately provided a summary of the PREA standards upon their initial arrival to the facility. Inmates are then provided a more comprehensive training detailing key points of the process within thirty days of intake. Every inmate transferring into EDCF, regardless of how long the inmate has been incarcerated within KDOC, will participate in facility orientation, including a comprehensive component on sexual abuse and sexual harassment prevention and response. During the audit time frame, the EDCF received 428 inmates whose length of stay at the facility was for more than thirty days. Of these, 99.9% were given a comprehensive education on their rights to be free from both sexual abuse and sexual harassment, as well as retaliation for reporting such incidents, along with training on agency policies and procedures for responding to such incidents.

(C) Per the KDOC PREA Coordinator, all inmates incarcerated within the KDOC have received initial PREA training. As well, upon any transfer to another facility within the KDOC, inmates are again required to receive additional PREA training as part of the facility orientation program. The KDOC, despite having largely consistent policies across the system, requires that a facility orientation, including a comprehension PREA education, must be provided following each transfer. According to the agency’s PREA Coordinator, this ensures that each facility can reinforce its role in supporting the agency’s zero-tolerance policy toward all forms of sexual victimization. During

orientation, each facility also provides local information, including identifying its PREA point person. The EDCF PREA Compliance Manager also confirms that all inmates received at EDCF are required to engage a facility orientation program that includes the agency's zero-tolerance of sexual abuse and sexual harassment.

(D) All PREA information is provided in several alternative formats to ensure inmates with disabilities, to include those with limited English proficiency, have equal opportunity to receive, understand, and utilize the PREA process as necessary to promote the sexual safety of all inmates assigned to the KDOC, and more specifically, the EDCF. PREA brochures and informational posters are provided in both English and Spanish, the two most common languages spoken within the EDCF. Translation services are available for inmates who don't speak English. As well, per policy (IMPP #10-138D), the agency will provide reasonable accommodations to all inmates in need of ADA accommodations, both physical and cognitive, so as to ensure said inmates have equal opportunity to benefit from the PREA provisions.

(E) In accordance with policy (IMPP #10-103D), and confirmed by Intake Staff, at Intake, inmates are provided with a brief PREA overview. The information received is initially documented on the Intake Acknowledgement Form. Within thirty days of Intake, inmates are then provided with a more comprehensive facility orientation, to include PREA training. Following this more detailed training, inmates initial and sign for receipt of said training on a Comprehensive Facility Orientation Training Form.

(F) While inmates are provided personal copies of the KDOC Inmate Orientation Handbook (available in English and Spanish) upon receipt into the KDOC system, they are also loaned an additional copy of the Inmate Orientation Handbook for 14 days following their EDCF facility orientation. This material, as well as a wealth of other PREA related information, is continuously available within the facility's Law Library. It is also continuously available via each inmate's tablet and/or computer terminal points located in each housing area. Throughout the facility, as well as posted near all inmate phones, PREA informational posters are generally displayed in both English and Spanish. There are posters providing the names and contact information for Rape Crisis Centers that provide referrals or recovery support services available to incarcerated inmates. As well, there is information regarding other valuable inmate resource centers posted in each housing area for easy inmate access. It was noted, however, that while this information was available in the Medium Housing Law Library computer, there weren't any such posters hung within the area. This observation was immediately addressed, with PREA related posters being hung in both English and Spanish.

Reasoning & Findings Statement:

	This standard works to ensure that inmates are cognizant of the agency's zero-tolerance policy toward sexual abuse and sexual harassment, as well as have subsequent access to, and can effectively utilize, the PREA reporting mechanism. The EDCF has a practice in place to ensure all inmates received into the facility are provided initial training on the agency's zero tolerance policy and reporting procedures for allegations of sexual abuse/sexual harassment. As well, within thirty days of Intake, all inmates assigned to the EDCF are provided a comprehensive education on their rights to be free from both sexual abuse and sexual harassment, as well as retaliation for reporting such incidents, along with training on agency policies and procedures for responding to such incidents. In speaking with inmates assigned to the EDCF, all inmates stated that they were aware of PREA and its purpose within the facility. While inmates were collectively aware of the policy and their rights to varying degrees, all inmates interviewed were specifically aware of at least one, but generally more, methods by which they could report allegations of sexual abuse or sexual harassment. Accordingly, the EDCF has demonstrated compliance with the standards related to this provision.
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115.34	Specialized training: Investigations
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC EAI Investigations Protocol Manual, 2nd Edition, June 2011 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF EAI Annual Classroom PREA Training · EDCF EAI Training, Crime Scene Processing and Recovery of Physical Evidence from Sexual Assault Scenes · EDCF EAI Training, Dynamics of Sexual Assault: What Does Sexual Assault Really Look Like? · EDCF EAI Training, Effective Report Writing: Using the Language of Non-Consensual Sex · EDCF EAI Training, Effective Victim Interviewing: Helping Victims Retrieve and

Disclose Memories of Sexual Assault

- EDCF EAI Training, False Reports Moving Beyond the Issues to Successfully Investigate and Prosecute Non-Stranger Sexual Assault
- EDCF EAI Training, Forensic Examinations of Sexual Assault Victims and Suspects: Role of the Examination in Sex Crimes Investigations (Part 1: Types and Purposes of Evidence)
- EDCF EAI Training, Law and Investigative Strategy: What Kind of Sexual Assault is This?
- EDCF EAI Training, NIC PREA: Your Role Responding to Sexual Abuse
- EDCF EAI Training, NIC PREA: Investigating Sexual Abuse in a Confinement Setting
- EDCF EAI Training, NIC Specialized Investigator Training
- EDCF EAI Training, Preliminary Investigation: Guidelines for First Responders
- EDCF EAI Training, Specialized Investigator Training
- EDCF EAI Training, Trauma-Informed Sexual Assault Investigations
- EDCF EAI Training, Victim Impact: How Victims Are Affected by Sexual Assault and How Law Enforcement Can Respond

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Administrative (Human Resources) Staff
- EDCF Investigative Staff

Site Review Observations:

- Observed investigative training certifications.
- Reviewed agency training records documenting investigative training curriculums.

Standard Subsections:

(A) Per policy (IMPP #10-103D), all investigators must receive specialized training in excess of the generalized sexual abuse and sexual harassment training provided to other staff. Among other classes, investigators participate in training which shall include, but not limited to, conducting investigations in confinement settings. In interviewing EDCF investigative staff, said staff confirmed participation in numerous related courses. Additionally, training curriculums and employee training certifications provided additional documentation to support facility compliance.

(B) Per policy (IMPP #10-103D), all investigators must receive specialized training in excess of the generalized sexual abuse and sexual harassment training provided to other staff. Among other classes, investigators participate in training which shall include, but not limited to, interviewing techniques for sexual abuse victims, proper use of Garrity warnings, sexual abuse evidence collection and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. In interviewing EDCF investigative staff, said staff confirmed participation in numerous related courses. Additionally, training curriculums and employee training certifications provided additional documentation to support facility compliance.

(C) The agency maintains documentation that agency investigators have completed the required specialized training related to sexual abuse investigations. Specifically, Policy #IMPP #10-103D, requires that the completion of the training shall be documented with a certificate of completion maintained in the employee's file. A review of training certifications confirms that such documentation is maintained within agency files for all investigators currently utilized within the EDCF.

(D) The auditor is not required to audit this provision.

Reasoning & Findings Statement:

This standard works to ensure that persons investigating allegations of sexual abuse and sexual harassment have been sufficiently trained in related procedural and due process requirements necessary for both administrative prison hearings and for federal or state judiciary proceedings. The KDOC investigative staff are required to attend both general PREA training, as well as PREA trainings specific to conducting investigations of sexual victimization in a confinement setting. While many facilities

	simply require investigative staff to complete one NIC Advantage PREA Investigations course, the EDCF investigative staff has completed significantly more training! That given, EDCF investigative staff affirmed receipt of sufficient training necessary to confidently conduct sexual abuse investigations in a confinement setting. As well, documentation verified that EDCF staff do receive specialized training in excess of the generalized training provided to all staff. As such, the EDCF exceeds the requirements of this standard.
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115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: • KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 • Centurion PREA Overview Training, November 2019 • EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 • EDCF Orientation PREA Training Acknowledgement: 2-3-23, 3-17-23, 4-4-23, 4-25-23a, 4-25-23b, 5-19-23, 7-18-23a, 7-18-23b, 8-11-23, 8-31-23 Interviews: • Agency PREA Coordinator • EDCF Facility Warden • EDCF PREA Compliance Manager • Administrative (Human Resources) Staff • Medical Staff • Mental Health Staff

Site Review Observations:

- Review of facility training records

Standard Subsections:

(A) The EDCF provides medical and mental health services to incarcerated persons assigned to its facility. Policy (IMPP #10-103D) requires that in addition to the generalized training provided to all medical and mental health staff and contractors receive specialized training to include, but not be limited to: how to detect and assess signs of sexual misconduct; how to respond effectively and professionally to victims of sexual misconduct; and how and to whom to report allegations or suspicions of sexual misconduct. Interviews with the EDCF medical/mental health staff confirm that said persons have received trainings as required. A review of agency training records document 100% of staff participation in initial and/or continuing training requirements for all 105 medical and mental health care practitioners assigned to the EDCF.

(B) In accordance agency policy, and verified through interviews with EDCF medical/mental health staff, medical staff at EDCF do not conduct forensic medical examinations. Rather, as confirmed by medical staff, inmates are transported to a nearby public medical facility, William Newton Hospital, for such services.

(C) A review of training records reflects that 100% of the 53 Medical and Mental Health employees assigned to the EDCF, have received specialized training appropriate for their professional roles.

(D) As well, in accordance with their professional role, a review of training records reflects medical and mental health practitioners have also received the generalize PREA training provided to all other persons working within a correctional setting.

Reasoning & Findings Statement:

This standard works to ensure that medical and mental health staff have received specialized training for medical and mental health services provided to victims of sexual abuse and sexual harassment. The KDOC has policies in place to ensure all EDCF medical and mental health staff are furnished this training. EDCF medical and

	mental health administration confirmed that said staff have received all required and continuing education classes specific to their professional role as it applies to medical and mental health services administered when assisting victims of sexual abuse and sexual harassment. Also, staff assigned to the Wesley Medical Center and St. Francis Hospital confirmed that all persons conducting forensic medical exams are properly certified to perform said exams. Documentation of agency training verified that KDOC staff do receive specialized training in excess of the generalized training provided to all staff. As such, the EDCF meets the requirements of this standard.
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115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #10-139D, Screening for Sexual Victimization and Abusiveness, 10-16-19 · KDOC IMPP #11-102A, Resident Admissions, Scheduling, Processing, and Orientation, 4-4-23 · KDOC PREA Application User Manual, 11-1-18 · KDOC Sexual Victimization Assessment Form · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Transgender/Intersex Inmate List, January 2023 and July 2023 · EDCF PREA Chrono View, 9-12-23 · EDCF SVA: 8 Inmate Records November 2022 · EDCF SVA: 12 Inmate Records February 2023 · EDCF SVA: 11 Inmate Records May 2023 · EDCF SVA: 12 Inmate Records August 2023 · EDCF Bi-Annual Inmate Review: 10 Inmate Records July 2023 · EDCF SVA – 12 Transgender Inmate Records, 2023

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Intake Staff
- Medical Staff
- Mental Health Staff
- Staff Who Perform Screening for Risk of Victimization and Abusiveness
- Inmates Who Identify as Lesbian, Gay, Bisexual, Transgender, or Intersex
- Inmates Who Reported Sexual Abuse
- Limited English Proficient Inmates
- Disabled Inmates
- Random Inmates

Site Review Observations:

- Observed PREA screening demonstration.
- Reviewed inmate files.

Standard Subsections:

(A) Policy (IMPP #10-139D) requires that all inmates are assessed for risk of sexual victimization or abusiveness upon arrival at intake. The EDCF Intake staff affirm the facility's adherence to agency policy. Specifically, all inmates received into the facility are given a Sexual Victimization and Abusiveness Assessment (SVA) within "72 hours of intake and prior to placement in multi-occupancy housing." Demonstrations of Intake and Risk Screen Processes were observed by the auditor.

(B) Policy (IMPP #10-139D) requires that the screenings will be completed "within 72

hours of the inmate's arrival at the facility." In speaking with EDCF Intake and Medical staff, as well as the EDCF PREA Compliance Manager, it was noted that said screenings take place immediately upon each inmate's arrival to the facility. In accordance with agency policy, of the 691 inmates entering the facility (either through intake or transfer) within the audit time frame, 100% were subsequently provided risk screening assessments for their risk of being sexually victimized or for being a sexual abuser within 72 hours of their entry into the facility.

(C) The PREA screening assessment is conducted using an objective screening instrument (Sexual Victimization and Abusiveness Assessment Form). A review of the survey questions provided to inmates does not present with either an implicit bias or leading statements. The PREA assessment process does not contain value statements, bias language, or implied negative consequences for affirmative answers to any of the questions asked. Rather, it is a strictly utilitarian form that was administered in a nonjudgmental manner during a mock screening demonstration. To determine an inmate's risk of sexual victimization, an inmate is asked nine questions. To determine an inmate's risk of sexual abusiveness, the inmate is asked seven questions.

(D) The PREA assessment process does consider, at a minimum, if the inmate has a mental, physical, or developmental disability. It considers the age of the inmate, the inmate's physical build, whether the inmate has previously been incarcerated, whether the inmate's criminal history is exclusively nonviolent, whether the inmate has prior convictions for sex offenses against an adult or child, whether the inmate has previously experienced sexual victimization, the inmate's own perception of vulnerability, and whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming. Inmates are explicitly asked if they are gay, lesbian, bisexual, transgender, intersex, or gender nonconforming/gender nonbinary. Inmates are then asked if others perceive them as the same. The risk screener is allowed to enter his/her subjective perception of other factors to consider, as well as any additional information regarding the inmate's sexual safety. It should be noted that the KDOC does not detain inmates solely for immigration purposes.

(E) In assessing inmates for their risk of being sexually abusive, the Sexual Victimization and Abusiveness Assessment Form does consider prior acts of sexual abuse, prior convictions for violent offenses, and the history of prior institutional violence or sexual abuse. Along with observing the screening process, the auditor also reviewed several Sexual Victimization and Abusiveness Assessment Forms completed within the auditing time frame. All forms were filled out in their entirety, with inmates having generally provided relevant answers to each of the questions asked. It should further be noted that Intake staff both confirmed that inmates may refuse to answer any question on the survey or may refuse participation in the entire survey without the threat of negative consequences.

(F) Policy (IMPP #10-139D) requires that “within 30 days of intake, every inmate has another SVA completed to determine if any changes occurred in measuring the risk for sexual victimization and/or sexual aggression.” Within the audit time frame, 100% of the 428 inmates with a length of stay in the facility for 30 days or more, were reassessed for their risk of sexual victimization or of being sexually abusive within the first 30 days after their arrival to the EDCF. In speaking with EDCF Unit Management staff, their adherence to this policy was confirmed. In addition, the EDCF exceeds the minimum reassessment requirements by again reassessing each inmate annually in accordance with their birth month.

(G) Per the PREA Compliance Manager, any employee may make a referral for an inmate to be assessed for risk of victimization/abusiveness, or to be seen by mental health based on staffs’ observation of the inmate’s behavior or at the inmate’s request, which include referrals based on concerns the inmate has been or is at high risk of being subject to sexual misconduct. Both the EDCF PREA Compliance Manager and staff who perform screening for risk of victimization and abusiveness confirm reassessments are conducted as required. As well, in discussing reassessment processes with inmates, several inmates stated that after having brought concerns for their safety to the attention of security personnel, or having witnessed other inmates doing the same, they were subsequently interviewed by either the EDCF PREA Compliance Manager or Unit Management staff regarding these concerns. Ultimately, most of these inmates believed that EDCF staff did address their needs in a timely manner. When asked, all of these inmates, as well as all other inmates interviewed, stated that they felt their sexual safety was not at risk at EDCF.

(H) Policy (IMPP #11-102A, IMPP #10-103D) expressly prohibits disciplinary sanctions against any inmate who refuses to answer or fails to provide complete and/or accurate answers to any of the questions noted on the PREA Assessment Form. When interviewed, Intake, Risk Assessors, and the EDCF PREA Compliance Manager all affirmed that disciplinary sanctions were not imposed against inmates for refusing or failing to answer any of the questions on the Sexual Victimization and Abusiveness Assessment Form. As well, inmate interviews confirmed that said population was aware of their right not to answer related questions.

(I) Policy (IMPP #10-103D) requires that PREA victimization or related risk assessments are considered sensitive information. Policy further requires, as well as reinforced by the electronic credential requirements necessary to gain access to the Sexual Victimization and Abusiveness Assessment Form, that facility staff must restrict the spread of information obtained as a function of the PREA assessment process to only those designated staff members with an operational need for said information in order to inform classification, housing and work assignments,

	programmatic and non-programmatic activities, or other relevant institutional activities. The PREA Compliance Manager, Unit Managers, and other operative staff associated with the PREA assessment process affirmed the information obtained by way of said document was considered restricted, and as such, was not distributed to unauthorized staff. Lastly, the auditor observed that completed Sexual Victimization and Abusiveness Assessment Forms did require authorized credentials to access said documents within the KDOC electronic data base. Reasoning & Findings Statement: This standard works to ensure inmates are properly screened for their risks of sexual victimization and abusiveness. This screening must first be conducted within 72 hours of inmates arriving to the facility and again no more than 30 days later. Beyond the requirements of this screening, the EDCF again reassessing each inmate annually in accordance with their birth month. Agency policy provides for an objective PREA Assessment Form, which is administered and scored at the facility level as a simple fact assessment. Inmates are reassessed as required by policy, to include if new information is discovered by facility staff that might warrant changes in inmates' risk status. Interviews with facility screening staff, as well as with inmates, confirm that the proper screening tool is being utilized at the EDCF. As well, the information gleaned from this form is appropriately used to inform classification, housing, work, and other facility-based activities. Staff charged with administering PREA Assessment Forms affirm the restricted nature of the information and their adherence to the facility's limited distribution list. In total, the EDCF has clearly exceeded the requirements of this standard
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115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #10-139D, Screening for Sexual Victimization and Abusiveness, 10-16-19 · KDOC IMPP #10-143D, Transgender and Intersex Inmate Placement, 7-17-19

- KDOC PREA Application User Manual, 11-1-18
- KDOC Sexual Victimization Assessment Form
- Centurion #P-F-06b, Transgender, Gender Non-Conforming Individuals and Patients with Gender Dysphoria, 11-2-18
- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20
- EDCF PREA Classification Report: October 2022 – August 2023
- EDCF OCF PREA Classification Report: October 2022 – August 2023

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Intermediate or Higher-Level Facility Staff
- Intake Staff
- Medical Staff
- Mental Health Staff
- Staff Who Perform Screening for Risk of Victimization and Abusiveness
- Random Staff
- Inmates Who Identify as Lesbian, Gay, Bisexual, Transgender, or Intersex
- Disabled Inmates
- Limited English Proficient Inmates

Site Review Observations:

- Observed PREA screening process
- Reviewed inmate risk assessments
- Observed inmate housing and work assignments

Standard Subsections:

(A) Policy (IMPP #10-139D, IMPP #10-103D, IMPP # 10-143D, GO #09-130) requires that the agency use information from the Sexual Victimization Assessment Form to help separate inmates with a high risk of being sexually victimized from those inmates with a high risk of being sexually abusive. As such, the information gleaned from the Sexual Victimization Assessment Form is used to inform inmate housing, bed, work, education, and program assignments. In speaking with Intake staff and the EDCF PREA Compliance Manager, once an inmate is deemed as a possible high risk for sexual victimization, staff will ensure that the inmate at risk is not housed in a vulnerable location with respect to other inmates who are assessed at a high risk to sexually abuse other inmates (Centurion #P-F-06b). Facility documentation reflects this is an institutionalized process.

(B) Policy (IMPP #10-139D, IMPP #10-103D, IMPP # 10-143D, GO #09-130, Centurion #P-F-06b) requires that the facility makes individualized determinations on how to ensure the safety of each inmate. In speaking with the PREA Coordinator, the EDCF PREA Compliance Manager, and the EDCF Warden, staff affirmed that the concerns for every inmate are reviewed on an individual basis. In speaking with inmates currently assigned to the EDCF, most stated that their own opinions regarding their personal safety are considered by EDCF staff when provided housing or job assignments. Inmates further stated that if their concerns for their own safety changed, they believed EDCF staff would take their concerns seriously. As such, there weren't any (0) inmates who expressed any fear or concern for their sexual safety while assigned to EDCF.

(C) In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, agency policy (IMPP #10-139D, IMPP #10-103D, IMPP # 10-143D, GO #09-130, Centurion #P-F-06b) requires that administrators consider, on a case-by-case basis, whether such a placement would ensure the inmate's health and safety and whether such a placement would present management or security problems. In deciding whether to assign a transgender or intersex inmate to a specific housing or program assignment, agency policy (IMPP #10-139D, IMPP #10-103D, IMPP # 10-143D, GO #09-130, Centurion #P-F-06b) dictates administrators consider, on a case-by-case basis, whether such a placement would ensure the inmate's health and safety and whether such a placement would present management or security problems. In speaking with the PREA Coordinator, the EDCF PREA Compliance Manager, and the EDCF Warden, staff affirmed that an inmate's genital status is not the sole determining factor in placing transgender or intersex inmates in male or female facilities, or in placing said inmates within specific housing or program assignments within a facility.

(D) Agency policy (IMPP #10-139D, IMPP #10-103D, IMPP # 10-143D, GO #09-130, Centurion #P-F-06b) requires that the placement and programming assignments of transgender or intersex inmates are reviewed at least every six months to examine any possible safety concerns expressed by the inmate. When interviewed, EDCF Classification staff did affirm the facility's compliance with this policy. As well, along with routine informal safety checks by the EDCF PREA Compliance Manager and housing staff, all transgender inmates confirmed that their living or other environmental concerns for their sexual safety were formally reviewed by agency officials at least every six months.

(E) Agency policy (IMPP #10-139D, IMPP #10-103D, IMPP # 10-143D, GO #09-130, Centurion #P-F-06b) requires that upon the routine review of the placement and programming assignments of transgender or intersex inmates, the transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration. When interviewed, EDCF staff and the EDCF PREA Compliance Manager affirmed that the facility strictly adheres to this policy. Additionally, during random and targeted interviews with inmates, most stated that they believed EDCF staff would consider inmates' own views with respect to their own safety.

(F) Policy (IMPP #10-139D, IMPP #10-103D, IMPP # 10-143D, GO #09-130, Centurion #P-F-06b) allows for transgender and intersex inmates to be given the opportunity to shower separately from other inmates. In interviewing transgender inmates, all such inmates were aware of their right to shower separately from the general inmate population. The facility does have a separate shower time designated for transgender inmates, if said inmates choose to use this time. During interviews with transgender, gay, and bisexual inmates, none (0) noted any concerns for their safety specific to showering.

(G) There aren't any correctional facilities within the KDOC subject to consent decrees, legal settlements, or legal judgments requiring any facility to be established as a dedicated facility or housing unit for lesbian, gay, bisexual, transgender, or intersex inmates. As such, policy

(IMPP #10-139D, IMPP #10-103D, IMPP # 10-143D, GO #09-130, Centurion #P-F-06b) expressly states that "the facility must not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities or wings solely based on such identification status." In speaking with the PREA Coordinator, the EDCF PREA Compliance Manager, and the EDCF Warden, staff adamantly affirm that inmates who identify as transgender or intersex are not placed in a facility, or within a housing assignment, based solely on their sexual or gender identity. During interviews of transgender, gay, lesbian, and bisexual inmates, none stated that they had ever been housed in a facility, or in a specific housing assignment within the EDCF, based solely on their gender identity or sexual orientation. As well, of the random staff interviewed, all staff

	affirmed that the EDCF does not house transgender, intersex, gay, lesbian, or bisexual inmates in any specific areas based solely on their gender identity or sexual orientation. Reasoning & Findings Statement: This standard works to ensure the adequate use of screening information to promote and protect inmates who may be at high risk of being sexually victimized. The KDOC has numerous policies in place to ensure the most effective and secure use of the PREA Assessment Form. Inmates deemed to be at high risk are routinely monitored by the EDCF PREA Compliance Manager, as well as unit staff, to ensure their sexual safety. Agency policies require staff to make individualized determinations on a case-by-case basis regarding inmate safety. Interviews with the agency PREA Coordinator and the EDCF PREA Compliance Manager reflect that facility staff have discretion in managing the safety of individual inmates. The EDCF PREA Compliance Manager, as well as all other EDCF staff, affirm their adherence to agency policies and also confirm that the inmate's own views regarding the inmate's own safety are given serious consideration specific to facility operations. Transgender inmates are allowed to shower separately from the general population. Additionally, transgender inmates are reviewed every six months specific to their placement and programming assignments. As such, agency policy meets, and EDCF adheres to, the requirements of this standard.
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115.43 Protective Custody	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #10-139D, Screening for Sexual Victimization and Abusiveness, 10-16-19 · KDOC IMPP #20-108, Protective Custody, 2-15-02 · KDOC IMPP #20-105A, Restrictive Housing: Basic Operations of Administrative Restrictive Housing, 5-13-22

• EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Designated Staff Member Charged with Monitoring Retaliation
- Incident Review Team Member
- Intermediate or Higher-Level Facility Staff
- Staff Who Supervise Inmates in Segregated Housing
- Inmates Who Reported Sexual Abuse
- Random Inmate Interviews
- Targeted Inmate Interviews

Site Review Observations:

- Observed custody housing assignments

Standard Subsections:

(A) Policy (#10-103D, IMPP #20-108, GO #09-130) mandates that agency staff shall refrain from placing inmates at high risk for sexual victimization in protective custody. Rather, "admission to protective custody shall be made only when there is documentation that protective custody is warranted and that a reasonable alternative is not available" (IMPP #20-108). In speaking with the EDCF PREA Compliance Manager and the EDCF Warden, staff confirm that there have not been any (0) inmates placed in protective custody for risk of sexual victimization during the audit time frame. As well, inmate interviews did not suggest that EDCF utilizes any form of restrictive housing as a primary means of separation for investigatory purposes. As such, there wasn't any relevant documentation to review.

(B) Policy (#10-103D, IMPP #20-108, GO #09-130) allows that if the victim is housed a restrictive housing environment, that person should be afforded, to the extent possible, the same level of privileges the victim was permitted immediately prior to the housing change. Specifically, efforts should be made to ensure these inmates receive similar access to programmatic activities, privileges, educational activities, and work opportunities as inmates assigned to the general population. If the facility restricts access to programs, privileges, education, or work opportunities, the facility must document any restrictions. In speaking with the EDCF PREA Compliance Manager and the EDCF Warden, staff confirm that there have not been any (0) inmates placed in the protective custody for risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn't any relevant documentation to review.

(C) Policy (#10-103D, IMPP #20-108, GO #09-130) mandates that protective custody for inmates at a high risk of sexual victimization shall only be used until an alternative means of separation from likely abusers can be arranged. As well, per the PREA Compliance Manager, if an inmate were to be placed in restrictive housing, it would only be until an alternative means of separation could be found and would not ordinarily exceed a period of 30 days. In speaking with the EDCF PREA Compliance Manager and the EDCF Warden, staff confirmed that there have not been any (0) inmates placed in the protective custody for risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn't any relevant documentation to review.

(D) Policy (#10-103D, IMPP #20-108, GO #09-130) requires that upon placement of an inmate into the restrictive housing, the facility must clearly document the basis of the facility's concern for the inmate's safety. Additionally, the facility must document whether a determination has been made that there is no available alternative means of separation from the likely abusers, including documentation of what alternatives were considered and assessed to be unavailable. In speaking with the EDCF PREA Compliance Manager and the EDCF Warden, staff confirmed that there have not been any (0) inmates placed in the Involuntary Transitional Program Unit for risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn't any relevant documentation to review.

(E) Policy (IMPP #10-103D, IMPP #20-108, IMPP #20-105A, GO #09-130) requires that an inmate placed in the restrictive housing due to being a high risk of sexual victimization shall have this status reviewed within 24 hours the initial placement and at least one per week for the first four weeks, followed by at least once a month thereafter. In speaking with the EDCF PREA Compliance Manager and the EDCF Warden, staff confirmed both their knowledge of this policy and the fact that there have not been any (0) inmates placed in the Involuntary Transitional Program Unit for

	risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn't any relevant documentation to review. Reasoning & Findings Statement: This standard works to ensure that the use of involuntary protective custody is not a de facto management solution for inmate safety concerns. Agency policy explicitly mandates that staff refrain from placing inmates at high risk for sexual victimization in restrictive housing unless an assessment of all available alternatives has been made and there are no other available means of separation from likely abusers. In speaking with the EDCF PREA Compliance Manager and the EDCF Warden, staff confirmed that there have not been any (0) inmates placed in the Involuntary Transitional Program Unit for risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn't any relevant documentation to review. Correctional staff routinely assigned to work within Segregated Housing were interviewed. While these staff confirmed that inmates assigned to restrictive housing for high risk of sexual victimization would be afforded similar activities as inmates within general population, to the best of their knowledge, there have not been any (0) such inmates assigned to such housing within the audit time frame. In total, the EDCF has satisfied all component parts of this standard and found to have met its provisions.
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115.51 Inmate reporting	
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC PREA Signage, 2022, English · KDOC PREA Signage, 2022, Spanish · KDOC PREA Flyer, Intake, English · KDOC PREA Flyer, Intake, Spanish · KDOC PREA Brochure, 30 Day & Annual Reviews, English

- KDOC PREA Brochure, 30 Day & Annual Reviews, Spanish
- KDOC Legal Services for Prisoners Signage, English
- KDOC Legal Services for Prisoners Signage, Spanish
- KDOC MOU Legal Services for Prisoners, 1-26-23
- KDOC Public Website Reporting
- KDOC PREA: What Staff Need to Know Brochure
- Kansas Administrative Rules, 44-15-204, Special Procedures for Sexual Abuse Grievances
- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20
- EDCF Memo, No Inmates Detained Solely for Civil Immigration, 9-11-23
- EDCF Staff Training, Staff Reporting, 10-2-23

Interviews:

- Agency Head
- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Random Staff
- Just Detention International
- Family Life Center of Butler County
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening
- Inmates Who Reported Sexual Abuse

Site Review Observations:

- Reviewed documentation related to inmate reports of sexual abuse and sexual

harassment.

- Observed PREA Intake and Risk Assessment demonstration.
- Observed informational posters throughout the facility advising inmates of various reporting mechanisms for allegations of sexual abuse and sexual harassment.
- Observed numerous PREA educational and reporting references available for inmate use within the facility Law Libraries and computer terminals.
- Tested inmate reporting hotline via inmate phone.
- Tested website reporting function.

Standard Subsections:

(A) The agency provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, as well as neglect or violations of staff responsibilities that may have contributed to such incidents. Additionally, the agency provides numerous avenues by which inmates may report any subsequent retaliatory measures experienced by inmates as a result of having reported said abuse. Upon receipt onto the facility, all inmates are provided a PREA risk screening, via the PREA Assessment Form, and advised of their right to be free of sexual abuse and sexual harassment under the PREA standards. Inmates are subsequently given a more comprehensive inmate orientation within 7 days of their receipt into the facility. This orientation includes detailed training on the KDOC PREA program. This training includes information on, and contact information for, internal and external reporting agencies. Inmates are also provided with an KDOC Inmate Handbook, which contains contact information for internal and external reporting agencies and victim services organizations. In interviewing staff, all employees were aware of an inmate's right to report allegations of sexual abuse and sexual harassment and to be free from measures of retaliation for having reported said abuse. In interviewing inmates, all inmates were equally aware of their right to report allegations of sexual abuse and sexual harassment and to be free from measures of retaliation for having reported said abuse. During random and targeted interviews, all inmates were able to articulate at least one manner by which a report could be made, with the majority of inmates being able to provide multiple reporting methods.

(B) As noted in policy (#10-103D, PREA Informational Brochures), the facility also provides multiple avenues and contact information for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency. Inmates are provided the phone numbers to the agency's support center and an Outside Advocates Hotline, with calls to both of these agencies being anonymous and without cost to the inmate. Inmates are provided the email address to the

primary reporting entity via the GTL system, which can receive and immediately forward inmate reports to agency officials for their investigation. Upon an inmate's request, the inmate to remain anonymous. Per the agency PREA coordinator, the KDOC does not detain inmates solely for civil immigration purposes. Nonetheless, information on how to contact relevant consular officials is available in the EDCF facility Law Library and computer terminals assigned to each housing area.

(C) Per policy (#10-103D), staff accept all reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties. All employees interviewed stated that they would act on any report of sexual abuse or sexual harassment regardless of the manner by which they became aware of that information. In doing so, all staff stated they would document the information as soon as possible following the allegations being presented to them. All inmates interviewed affirmed their right to make either verbal or written reports of sexual abuse and sexual harassment. Most inmates were also aware that they could make reports of sexual abuse and sexual harassment via third party or anonymously. All of the inmates interviewed stated that they believed EDCF staff would take any complaint of sexual safety seriously and act accordingly to address their concerns.

(D) Per policy (#10-103D), staff have an affirmative duty to report any knowledge, suspicion, or information they may have regarding sexual abuse, sexual harassment, or retaliation against inmates or staff for having reported such abuse. Nonetheless, per agency policy, staff may also privately report sexual misconduct by emailing the PREA Coordinator or calling the Third-Party Reporting Line. When asked, staff were aware that they could make anonymous reports of sexual abuse and sexual harassment.

Reasoning & Findings Statement:

This standard works to ensure inmates, staff, and outside agents have the ability to report all instances of sexual abuse and sexual harassment against inmates. The agency does have multiple avenues by which inmates may make formal reports, to include verbal, written, anonymous, and third-party reports. Inmates are provided detailed instructions, contact persons, phone numbers, e-mail addresses, and physical addresses for correspondence where incidents or suspicions of sexual abuse, sexual harassment, and retaliation may be reported. To test the functionality of these services, the auditor utilized the weblink on the KDOC website to submit a written test complaint. In response, the auditor received responsive comments from the agency within one business day. Additionally, while inmates are not encouraged to utilize rape counseling support service centers as reporting avenues, they will also serve in this capacity if explicitly requested by the inmate. With this in mind, the auditor solicited inmate contact information from local rape counseling centers

	central to the EDCF and a nationally based referral service. The national referral service, Just Detention International, indicated that it did not receive any complaints of sexual abuse or sexual harassment from inmates assigned to the EDCF within the reporting time frame. The Family Life Center of Butler County and Safehouse Crisis Center, local rape counseling advocacy services, were also contacted and asked to provide relevant information specific to the EDCF PREA audit. In this, it was noted that the Family Life Center of Butler County and Safehouse Crisis Center were able to communicate, and had not experienced any undue barriers to communication, with inmates assigned to the EDCF. Lastly, the auditor conducted a testing of the PREA Hotline number commonly referenced by the inmates. In doing this, a confirmation response was received within the same business day. In interviewing correctional staff, all such persons were aware that inmates could report allegations of sexual abuse and sexual harassment verbally, in writing, anonymously, and through a third party. When receiving verbal reports of sexual abuse and sexual harassment, all staff recognized the need to take immediate action to protect the inmate in question and the need to document the verbal complaint as soon as possible. In speaking with inmates, all persons were aware of their right to be free from sexual abuse and sexual harassment, as well as their right not to suffer retaliation for having reported such abuse. All inmates understood their right to make verbal and written complaints. The majority of inmates understood their right to make anonymous and third-party complaints. As such, it is evident that the EDCF has exceeded the requirements of this standard.
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115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · Kansas Statute #44-15-204, Special procedures for sexual abuse grievances · Kansas Statute #44-15-101b, Time limit for filing grievances · Kansas Statute #44-15-106, Emergency grievance · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Grievances: 7 Inmate Grievance Records Interviews:

- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Investigative Staff
- Random Inmates

Site Review Observations:

- Reviewed complaint submission process.
- Review all grievances submitted within the audit time frame.

Standard Subsections:

(A) The KDOC does have administrative procedures to address inmate grievances regarding sexual abuse.

(B) Policy (Kansas Administrative Remedy [KAR] 44-15-204) permits inmates to submit grievances regarding allegations of sexual abuse and sexual harassment. Per EDCF Grievance staff, grievances involving allegations of sexual abuse would not be screened for time no matter how long ago the incident was alleged to have occurred.

(C) Policy (KAR 44-15-204) allows that inmates may submit reports of sexual misconduct to any person without first attempting to resolve the complaint through the person with whom the complaint is against. The complaint is subsequently processed by the institutional investigator, not the person with whom the complaint is against.

(D) Policy (KAR 44-15-204) requires that any grievance alleging sexual abuse will be answered and returned to the inmate within ten business day. Including time for appeal, "in all cases, a final decision on the merits of any portion of a grievance alleging sexual abuse, or an appeal thereof, shall be issued by the secretary within 90 days of the initial filing of the grievance."

	(E) Policy (KAR 44-15-204) allows that “third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist any inmate in filing requests for administrative remedies relating to allegations of sexual abuse.” (F) Policy (KAR 44-15-204) allows inmates to “submit a grievance concerning imminent sexual abuse.” Upon receipt, “the warden or designee shall provide an initial response with 48 hours and shall issue a final decision within five calendar days.” (G) Policy (KAR 44-15-204) allows that “any inmate may be disciplined for filing a grievance related to alleged sexual abuse only if it can be demonstrated that the inmate filed the grievance in bad faith.” Reasoning & Findings Statement: This standard works to ensure inmate access to courts by way of exhausting administrative remedies specific to allegations of sexual abuse and sexual harassment. Policy (KAR 44-15-204) permits inmates to file grievances alleging sexual abuse or sexual harassment. If received, the agency must investigate the allegations and issue a response to the inmate within 10 calendar days. Documentation supporting the submission of grievances was reviewed to confirm EDCF Grievance staff completed the investigation process within a timely fashion. During the audit time frame, the EDCF received seven (7) such grievances, with all of these grievances having been processed in accordance with policy. As such, the EDCF meets the provisions of this standard.
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115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC Memo, Protocols for Correspondence with LSP and Advocacy Agencies,

6-30-22

- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20
- EDCF Family Life Center of Butler County Signage, English
- EDCF Family Life Center of Butler County Signage, Spanish
- EDCF MOU Family Life Center of Butler County, 9-10-23
- EDCF MOU Safehouse Crisis Center, 8-29-23

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Medical Staff
- Mental Health Staff
- Wesley Medical Center and St. Francis Hospital Staff
- Mailroom Staff
- Random Staff
- KDOC Website Third Party Reporting Coordinator
- Just Detention International
- Family Life Center of Butler County
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Reviewed PREA Risk Screening Assessment.
- Review of distributed information upon EDCF reception at Intake areas.
- Observed informational posters throughout the facility advising inmates of

various reporting mechanisms for allegations of sexual abuse and sexual harassment.

- Observed numerous PREA educational and reporting references available for inmate use within the facility Law Library, tablet, and via computer terminal access on inmate housing areas.
- Observed inmate general visitation and legal visitation informational posters.
- Observed visitation area designated for members of an approved victim advocate service.

Standard Subsections:

(A) Policy (IMPP #10-103D) requires that the institution will provide inmates with contact information for rape advocacy centers, such as a mailing address and telephone number, including toll-free hotline numbers of local, state, or national victim advocacy or rape crisis organizations. The EDCF Inmate Handbook provides contact information for reporting sexual abuse and sexual harassment. Via institutional awareness posters, inmates are also provided the physical address to write for confidential emotional support services. As well, the Law Library contains a listing of Contact Information for Rape Crisis Programs in Kansas. This reference includes the contact person, physical address, phone number, and a GTL email address. It also included the contact information for local rape crisis centers, Family Life Center of Butler County and Safehouse Crisis Center.

Per policy (IMPP #10-103D) the agency does provide toll-free telephone calls to rape crisis advocates and hotlines. Policy (IMPP #10-103D) also allows that communication between inmates and advocates within these rape crisis centers is as confidential as possible; however, inmates must be notified that telephone calls are not confidential. Facility documentation does indicate where all inmates are provided informed consent. In speaking with Mailroom staff, it was further noted that outgoing mail to rape crisis centers is not restricted or monitored to any extent greater than any other outgoing special correspondence. Additionally, the agency allows Victim Support Persons, specifically trained for this purpose by the agency, to provide inmates with emotional support related to sexual abuse and sexual harassment.

Per the agency PREA coordinator, the KDOC does not detain inmates solely for civil immigration purposes. Nonetheless, information on how to contact relevant consular officials is available in the facility's Law Library. When interviewed, most inmates knew that the agency provided free rape crisis support services or mental health services to inmates in need of such assistance. Additionally, all inmates were aware of at least one means by which they could contact rape crisis support services, with

	most inmates knowing that they could access those services by way of the phone number (aka the PREA Hotline) provided via the PREA posters located throughout the facility. (B) Per policy (IMPP #10-103D) inmates are notified that calls to the national hotline number, as well as to local rape crisis centers, are subject to monitoring. (C) The EDCF has negotiated a contract between itself and the Family Life Center of Butler County, as well as the Safehouse Crisis Center, to help provide rape crisis support services as requested by inmates assigned to the EDCF. The EDCF does maintain, and did supply, a facility-based contract for review. Reasoning & Findings Statement: This policy works to ensure that inmates assigned to the EDCF have access to outside confidential rape crisis support services and that access is provided in the most confidential manner as possible. Inmates are advised that calls to rape crisis centers are subject to monitoring. The EDCF has also secured memorandums of understanding with local rape crisis centers, the Family Life Center of Butler County and Safehouse Crisis Center, for support services. When interviewed, all employees and inmates knew that the agency provided free emotional support or mental health services to inmates upon request. As well, most incarcerated individuals knew that they could initiate access to those services by using the information posted on the PREA awareness posters predominately displayed throughout the facility. As such, the EDCF has met the minimum standards of this provision.
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115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC Third-Party Reporting Notice, English

- KDOC Third-Party Reporting Notice, Spanish
- KDOC Sexual Assault Brochure, English
- KDOC Sexual Assault Brochure, Spanish
- KDOC Zero-Tolerance Reporting Notice, English
- KDOC Zero-Tolerance Reporting Notice, Spanish

KDOC Website for Third Party Reporting

- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Investigative Staff
- Random Inmates
- KDOC Website Third Party Reporting Coordinator
- Just Detention International
- Family Life Center of Butler County

Site Review Observations:

- Review KDOC website specific to PREA and third-party reporting methods
- Tested KDOC online third-party reporting system
- Tested PREA Hotline number inmates can use to engage third-party reporting
- Observed the Inmate Visitation Area informational posters
- Observed informational postings and other publications throughout the inmate housing areas
- Observed PREA reporting information available in the Law Library, via inmate tablets, and/or via computer terminal access in inmate housing areas

Standard Subsections:

(A) Policy (#10-103D) allows for the use of third-party reporting on allegations of sexual abuse and sexual harassment. During the onsite review, signage throughout the facility encouraged inmates to third-party report if needed. Public notices on PREA reporting, specifically third-party reporting, were available for review by inmate family and friends via the facility's Inmate Visitation Room. Additionally, public notice on third party PREA reporting is available to the general public on the agency's website. To verify the system was operational, the auditor submitted a test email to the agency's online reporting address. As well, the PREA Hotline used by incarcerated individuals was also tested for functionality and service. In both instances, a response was received back from the agency within one business day. Documentation review reflected that EDCF staff would accept, and does process, third-party PREA allegations to the same extent as complaints made by affected inmates. All staff interviewed confirmed that the EDCF would accept third-party reports of sexual abuse. Lastly, inmates interviewed believed that the facility would accept, and take seriously, any allegations of sexual abuse reported by a third party.

Reasoning & Findings Statement:

This standard works to ensure a publicly available third-party reporting mechanism exists for claims of sexual abuse and sexual harassment being inflicted upon inmates. In accordance with policy (#10-103D), the EDCF promotes the use of third-party reporting via informational posters spread out across the facility, to include the Inmate Visitation Area. Electronic contact information is freely distributed on the agency's website to allow the general public direct access to reporting information. To ensure the functionality of the KDOC site, all electronic links were tested and found to be operating as required. To ensure the functionality of the KDOC online third-party reporting system, a test submission was successfully sent. As well, PREA informational posters provide inmates with a plethora of agency telephone numbers, physical addresses, and electronic contact methods that can be used to make a third-party report. While inmates themselves should not be able to access Internet resources, they can communicate this reference information to their family, friends, and personal advocates. Inmates themselves are provided numerous state and advocacy addresses to submit third-party correspondence. As well, inmates may also make a third-party party complaint via any staff member or other PREA reporting mechanisms, such as the PREA Hotline. The PREA Hotline was tested for functionality and service. When interviewed, all staff were aware that the facility would accept and investigate third-party complaints of sexual abuse and sexual harassment from inmate advocates. Accordingly, the EDCF has satisfied the provisions of this standard.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC Staff Booklet – PREA: What Staff Need to Know · KDOC PREA Basic Prison Rape Elimination Act Training; Staff, Contractors, and Volunteers, FY20 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • Agency PREA Coordinator • EDCF Facility Warden • EDCF PREA Compliance Manager • Investigative Staff • Medical Staff • Mental Health Staff • Random Staff • Random Inmates • Inmates Who Reported Sexual Abuse • Inmates Who Disclosed Sexual Victimization During Risk Screening Site Review Observations: • Employee training records

Standard Subsections:

(A) Policy (IMPP #10-103D) mandates that all employees must immediately report all knowledge, suspicion, or information of any sexual misconduct that occurred within the correctional institution. As well, staff have an affirmative duty to report all knowledge, suspicion, or information regarding retaliation against inmates or staff for having reported an incident of sexual abuse and sexual harassment. Staff also have an affirmative duty to report any negligence or violation of responsibilities that may have contributed to an incident of sexual abuse, sexual harassment, or retaliation. A review of employee training records, as well as training curriculum records, reflects that all (100%) of EDCF staff have received initial PREA training, as well as subsequent training where appropriate, which includes acknowledgment of their affirmative duty responsibilities. When interviewed, all staff confirmed their obligation to immediately report any information they might have regarding allegations of sexual abuse and sexual harassment.

(B) Policy (IMPP #10-103D) notifies all staff that 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 decision. As well, staff are advised not reveal any information related to a sexual abuse report to anyone other than to the extent necessary. As such, employees are cautioned to share reported information only with authorized staff. Random staff interviews confirm that facility employees are aware of the sensitive and confidential nature of said complaints. In speaking with the EDCF PREA Compliance Manager, the totality and reasoning surrounding the confidential investigatory process was clearly explained.

(C) Policy (IMPP #10-103D) requires that medical and mental health practitioners have a duty to disclose their mandatory reporting status, including limitations of confidentiality. During medical/mental health services staff interviews, the need for medical staff to inform inmates (at the initiation of professional services) of their duty to report, as well as to their limitations of confidentiality, was affirmed.

(D) All inmates incarcerated within the EDCF are legally classified as adults. As such, there aren't any juveniles assigned to this facility. However, the facility may still have persons classified as vulnerable adults. A vulnerable adult is a person who has been identified as having an intellectual and/or developmental disability. If an inmate is considered a vulnerable adult, the EAI Investigator states that a report would be forwarded to state and local offices as required by state law.

	(E) Policy (IMPP #10-103D) mandates that all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, are referred to the EDCF EAI Investigator for processing. When interviewing random facility staff, all (100%) employees affirmatively responded that any reports of sexual abuse and sexual harassment received by them would be immediately referred to supervisory and/or other entities appropriate for further investigations. Reasoning & Findings Statement: This standard works to ensure mandatory staff and agency reporting requirements. Both agency and facility policies mandate staffs' duty to report all allegations of sexual abuse and sexual harassment. Policy further stresses the importance of confidentiality as it applies to reported incidents of sexual abuse and sexual harassment. Lastly, policy requires that all medical and mental health staff disclose their limits of confidentiality and obtain informed consent prior to the initiation of services. In interviewing correctional staff, both uniformed and non-uniformed, all employees expressed an understanding of policy. Training records and course curriculums document correctional staff training specific to mandatory reporting requirements. In interviewing EDCF medical and mental health staff, the process of limited confidentiality and informed consent used by said staff was explained in detail. As well, training records and course curriculums for the specialized training of medical staff document an understanding of mandatory reporting requirements. As such, the EDCF meets the provisions established within this standard.
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115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #20-108, Protective Custody, 2-15-02 · KDOC IMPP #20-105A, Restrictive Housing: Basic Operations of Administrative Restrictive Housing, 5-13-22 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Designated Staff Member Charged with Monitoring Retaliation
- Incident Review Team Member
- Intermediate or Higher-Level Facility Staff
- Investigative Staff
- Intake Staff
- Staff Who Perform Screening for Risk of Victimization and Abusiveness
- Medical Staff
- Mental Health Staff
- Random Staff
- Random Inmates
- Inmates Who Reported Sexual Abuse
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Review of retaliation monitoring documentation

Standard Subsections:

- Per policy (IMPP #10-103D, IMPP #10-139D, GO #09-130), when the EDCF learns that an inmate is subject to a substantial risk of imminent sexual abuse, agency officials have an affirmative duty to take immediate action to protect the inmate. In speaking with the EDCF PREA Compliance Manager, EDCF Facility Warden,

	EDCF Unit Managers, and random staff, a plethora of possible options were discussed specific to inmate protection measures. As noted by the EDCF PREA Compliance Manager, the EDCF did not find any (0) evidence within the audit time frame that any inmates assigned to the facility were at a substantial risk of sexual abuse, the facility has no documentation for review. Likewise, no protective actions were required. Reasoning & Findings Statement: This standard works to actualize the processes of inmate protection. Agency policy (IMPP #10-103D) requires staff to take immediate action to ensure the safety of all inmates who are at a high risk of sexual victimization. Provided there are no other alternative options available to ensure the inmate's safety, policy (IMPP #20-108) further allows the facility to immediately increase the safety of the at-risk inmate by placing said inmate in restrictive housing. However, placement in restrictive housing would only be used if no other general housing assignments available could ensure inmate safety. During the audit time frame, the EDCF did not receive any reports from inmates who were at a substantial risk of sexual abuse. In interviewing random staff, all persons were asked specifically what actions would be taken if an inmate presented as a high risk for sexual victimization. Unequivocally, all staff responded that they would take immediate action to protect the potential victim (GO #09-130). Additionally, supervisory staff were questioned as to their role in this potentially dangerous situation. While supervisory staff did provide a more technical and inclusive response, they too, were centrally focused on protecting the inmate. Hence, the EDCF has clearly realized the provisions of this standard.
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115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Outgoing Warden to Warden notification of sexual abuse allegations: 1-20-23, 3-14-23, 5-2-23, 7-7-23a, 7-7-23b

- EDCF Incoming Warden to Warden notification of sexual abuse allegations: 6-7-23, 8-14-23

Interviews:

- Agency Head
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Inmates Who Reported Sexual Abuse
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Review of facility-to-facility referral process
- Review of all incoming and outgoing Warden to Warden referrals

Standard Subsections:

(A) KDOC policy (IMPP #10-103D) requires that when a facility receives notice regarding allegations of sexual abuse and sexual harassment occurring at another facility, the receiving facility must provide written notice of these allegations to the managing officer (Warden) of the destination facility within 72 hours. A review of documents for the audit time frame reflects that there have been five (5) referrals made by EDCF to other facilities and two (2) were received by EDCF from another facility.

(B) Per KDOC policy (IMPP #10-103D), written notice of the aforementioned allegations must be provided as soon as possible, but not more than 72 hours after learning of the allegations. During the audit time frame, the EDCF facility received notice of five (5) such allegations requiring subsequent referrals. In one such incident, the required referral was made within twenty-four hours to the facility where the inmate alleged the incident occurred. However, after the initial investigation, it was determined that the inmate had reported the incident occurring at the wrong facility.

	Accordingly, a second notification was then made to the appropriate facility within 72 hours of the EDCF becoming aware of the new alleged incident of occurrence. Thus continuing to demonstrate the facility's compliance with agency protocol. (C) When received, the EDCF does provide written document this notification in accordance to policy (IMPP #10-103D). (D) Upon receipt of said allegations, policy (IMPP #10-103D) requires that the Warden of the destination facility must then process these allegations in accordance with standard protocol. During the audit time frame, the EDCF received two (2) such referrals from facilities. Reasoning & Findings Statement: This policy works to ensure agency staff are provided sufficient due process with respect to the timely notification of inmate allegations involving sexual abuse and sexual harassment. Within the audit time frame, the EDCF has received five (5) incoming allegations of sexual abuse and sexual harassment from inmates who reported such at another KDOC facility. Within the audit time frame, the EDCF has received two (2) outgoing allegations of sexual abuse and sexual harassment from an inmate who reported to EDCF staff that such an incident occurred at another facility. Documentation relevant to this reporting process was reviewed to ensure they had occurred within required timelines. Additionally, facility staff were very much aware of the required timelines. Accordingly, agency policy, staff comments, and an explanation of the collaborative processes all reflect that the EDCF has satisfied the provisions of this standard.
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115.64 Staff first responder duties	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC Staff Booklet – PREA: What Staff Need to Know

- KDOC PREA Basic Prison Rape Elimination Act Training; Staff, Contractors, and Volunteers, FY20
- EDCF General Orders #09-130, Resident Sexual Abuse/Harassment Prevention/Intervention,
4-13-22

Interviews:

- EDCF Facility Warden
- EDCF PREA Compliance Manager
- EDCF Investigative Staff
- Intermediate or Higher-Level Facility Staff
- Random Staff
- First Responders
- Random Inmates
- Inmates Who Reported Sexual Abuse
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Review of employee training records
- Review of investigator narrative case files

Standard Subsections:

(A) Policy (IMPP #10-103D) requires the first responding security staff member to immediately separate the alleged victim and abuser. After ensuring the safety of the victim, per the PREA Compliance Manager, staff are required to preserve and protect the crime scene until evidence collection is possible. If the first responder learns that the victim has been sexually abused, and the abuse occurred within a time period

that still allows for the collection of physical evidence, the first responder should 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. Once the first responder learns that an inmate has been sexually abusive, and the abuse occurred within a time period that still allows for the collection of physical evidence, the first responder should 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. Within the audit time frame, EDCF has thirty (30) allegations from inmates who claim to have been victims of sexual abuse. Interviews with first responders, as well as documentation related to such, reflects that staff took the appropriate actions required of their role consistent with policy. As well, during contractor and volunteer interviews, it was noted that all contractors and volunteers understood the absolute need to protect the victim, as well as a need to preserve and protect the crime scene or evidence that could be available.

(B) Policy (IMPP #10-103D) requires that non-security first responders contain and assess the situation and notify their immediate supervisor or the security shift supervisor. Within the past twelve months, EDCF has received thirty (30) allegations from inmates who claim to have been victims of sexual abuse. In these, four (4) of those claims were made to non-security staff. Interviews with first responders, as well as documentation related to such, reflects that staff took the appropriate actions required of their role consistent with the situation and policy.

Reasoning & Findings Statement:

This standard works to determine whether facility staff understand their role when responding to inmate allegations of sexual abuse and sexual harassment. Of primary importance is separating and securing the alleged victim and abuser. Of this, all staff interviewed absolutely articulated that point. The majority of staff then articulated the need to preserve any evidence possibly remaining at the crime scene and on the alleged victim. A review of employee training records and class curriculums reflect staff have received required training specific to the preservation of evidence regarding allegations of sexual abuse and sexual harassment. The immediate notification of a security supervisor provides assurance that all subsequent critical steps will be followed. This information, combined with agency policy, staff interviews, facility training documentation, and the review of documentation related to the PREA initiation process sufficiently supports the expectations required by this standard.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #01-113D, Incident Reports and Immediately Reportable Incidents, 12-18-17 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • Agency PREA Coordinator • EDCF Facility Warden • EDCF PREA Compliance Manager • Designated Staff Member Charged with Monitoring Retaliation • Incident Review Team Member • Intermediate or Higher-Level Facility Staff • Investigative Staff • Medical Staff • Mental Health Staff • Wesley Medical Center and St. Francis Hospital Staff • Random Staff • First Responders • Inmates Who Reported Sexual Abuse Site Review Observations:

	• Review of departmental level facility processes. • Reviewed documentation of facility response via investigative files. Standard Subsections: (A) The EDCF has developed a written institutional plan; namely, EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20, to coordinate actions amongst first responders, medical and mental health practitioners, investigators, and facility leadership in response to incidents of sexual abuse and sexual harassment. Reasoning & Findings Statement: This provision works to coordinate facility efforts so that victims of sexual abuse and sexual harassment receive adequate support services. To coordinate facility efforts in the most efficient manner possible, the EDCF implemented a unit-based policy, EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20, that details the coordinated response plan to an incident of inmate sexual abuse. In this, the roles of all facility staff are discussed and, perhaps even more importantly, the way those roles interact with one another are outlined. This policy is a conveniently written overview of departmental responsibilities, equipped with notification and referral reminders. When asked, various departmental staff were able to articulate their role in the response process. As well, during interviews with inmates who had reported sexual abuse, many were able to articulate the responsibilities of responding staff; thus, demonstrating this process has been institutionalized within the facility. As such, the EDCF has met all the provisions within this standard.
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115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: • KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and

Harassment, 10-16-19

- KDOC MOU Kansas Organization of State Employees
- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20

Interviews:

- Agency Head
- Agency Contract Administrator
- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Administrative (Human Resources) Staff
- Inmates Who Reported Sexual Abuse
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Reviewed agency labor contracts

Standard Subsections:

(A) Per the PREA Compliance Manager, both the agency, as well as any other governmental entity responsible for collective bargaining on the agency's behalf, are prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. Current contracts between the State of Kansas and the Kansas Organization of State Employees, ensures that the KDOC retains the management rights for facilitates to remove alleged staff sexual abusers from contact with inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.

	(B) The auditor is not required to audit this provision. Reasoning & Findings Statement: This provision allows the agency to protect inmates from having contact with sexual abusers and sexual harassers. Policy allows for employees to be suspended from duty pending the outcome of a sexual abuse or sexual harassment investigation. In speaking with investigative staff and the EDCF Warden, the process of suspending or separating an employee from employment as a function of a negative sexual abuse or sexual harassment investigation finding was explained. It was also noted that the KDOC; more specifically, the EDCF unit administration, has no reservations about discharging employees for engaging in sexual abuse and sexual harassment. Hence, the EDCF has satisfactorily met all provisions within this standard.
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115.67	Agency protection against retaliation
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC Memo, Retaliation Monitoring and SAIR Board Review, 6-29-23 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • Agency PREA Coordinator • EDCF Facility Warden • EDCF PREA Compliance Manager • Institutional Investigator • Designated Staff Member Charged with Monitoring Retaliation

- Random Staff
- Random Inmates
- Inmates Who Reported Sexual Abuse
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Reviewed process for retaliation monitoring

Standard Subsections:

(A) Policy (IMPP #10-103D) prohibits retaliation for reporting sexual abuse or sexual harassment and for cooperating with a sexual abuse and sexual harassment investigations. In accordance with these policies, the EDCF PREA Compliance Manager monitors all retaliation resulting from cases of sexual harassment. The EDCF EAI Investigator monitors all retaliation resulting from cases of sexual abuse. At the time of the onsite audit, however, it was noted that EAI staff believed the PCM conducted all retaliation monitoring, to include retaliation monitoring for allegations of sexual abuse. As such, despite informal monitoring being routinely conducted by the PCM on all inmates who file allegations of sexual abuse or sexual harassment, formal documentation was not completed for those filing sexual abuse. To address this concern, retaliation monitoring for these inmates immediately commenced at the facility level. As well, to ensure the institutionalization of this process across all facilities within the agency, corrective action was also engaged at the agency level. As such, no further action is needed.

(B) Per the PREA Compliance Manager, the institution may employ multiple protection measures, such as housing changes, or transfers for inmate victims or abusers, and removal of alleged staff or inmate abusers from contact with victims who fear retaliation for reporting sexual misconduct or for cooperating with investigations.

(C) Per PREA Compliance Manager, for a minimum of four (4) months following a report of sexual abuse or sexual harassment, the facility shall monitor the conduct and treatment of:

- a. An inmate who reported an incident of sexual abuse or sexual harassment (including a third-party reporter)
- b. An inmate who was reported to have suffered sexual abuse or sexual harassment; and
- c. An employee who reported an incident of sexual abuse or sexual harassment of an inmate.
- d. Monitoring staff shall employ multiple protection measures to prevent inmate retaliation, such as reviewing inmate disciplinary, housing changes, job changes, and program changes.
- e. Monitoring staff shall employ multiple protection measures to prevent staff retaliation, such as negative performance reviews for staff and the reassignment of staff.
- f. Monitoring shall go beyond 90 days if the initial monitoring indicates a continuing need.
- g. Within the past twelve months, the EDCF has not had a reported incident of retaliation.

(D) Per PREA Compliance Manager, in the case of inmates, such monitoring shall also include periodic in-person status checks at least every 30 days. Within the audit time frame, as noted by the EDCF PREA Compliance Manager, there have not been any (0) acts of retaliation noted for having engaged the PREA process.

(E) Per PREA Compliance Manager, if any other individual (staff, volunteer, contractor, inmate, adolescent inmate, resident, etc.) who cooperates with an investigation expresses a fear of retaliation, the facility and agency shall take appropriate measures to protect that individual against retaliation. Documentation reflects that within the audit time frame, there have not been any expressed concerns of fear for retaliation due to having cooperated with, or having engaged, the PREA process. As such, there has not been a need to monitor any (0) staff for retaliation purposes during the audit time frame.

(F) The auditor is not required to audit this provision.

Reasoning & Findings Statement:

This standard works to prevent retaliation against employees and inmates for

	reporting sexual abuse and sexual harassment or for having cooperated with an investigation into such. KDOC policy provides a comprehensive overview of agency protection against sexual abuse and sexual harassment. In accordance with these policies, the EDCF PREA Compliance Manager monitors all retaliation resulting from cases of sexual harassment. The EDCF EAI Investigator monitors all retaliation resulting from cases of sexual abuse. In both instances, the facility has exceeded the requirements of this standard by not only monitoring inmates who filed both sexual abuse and sexual harassment cases, but also by extending the routine monitoring time for all allegations for a total of four (4) months. In speaking with inmates who had previously filed allegations of sexual abuse and sexual harassment, none stated that they had experience retaliation as a function of their reports. Additionally, these inmates also stated that if they have experienced retaliation as a function of their allegation, they were aware that unit administration would redress their concerns. In total, the EDCF has clearly exceeded the requirements of these provisions.
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115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #10-139D, Screening for Sexual Victimization and Abusiveness, 10-16-19 · KDOC IMPP #20-105A, Basic Operations of Administrative Restrictive Housing, 5-13-22 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • EDCF Facility Warden • EDCF PREA Compliance Manager • Designated Staff Member Charged with Monitoring Retaliation • Random Staff • Staff Who Supervise Inmates in Segregated Housing

- Random Inmates
- Inmates Who Reported Sexual Abuse
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Observed the restrictive housing areas.

Standard Subsections:

(A) Policy (IMPP #10-103D) prohibits placing inmates who allege sexual abuse or to be at a high risk of sexual abuse in involuntary segregated housing unless an assessment of all other available alternatives has been made and a subsequent determination concludes that there are no available alternatives means of separation from likely abusers. As confirmed by the EDCF Warden, within the audit time frame, the EDCF has not placed any (0) inmates who have alleged sexual abuse or who are at a high risk of sexual abuse in the restrictive housing pending completion of their assessment.

Reasoning & Findings Statement:

Agency policy strictly prohibits the use of involuntary segregated housing; namely, restrictive housing, as a de facto response to inmate safety concerns. Rather, as explained by the EDCF PREA Compliance Manager, the use of involuntary segregated housing should be considered only as the last available option, and even at that, as only a temporary measure. While conversations with the EDCF Warden and the EDCF PREA Compliance Manager did indicate that if absolutely necessary, inmates would be placed in involuntary segregated housing, it would be their absolute last option. Within the audit time frame, EDCF did not place any (0) inmate alleging sexual abuse or sexual harassment within involuntary segregated housing. In speaking with inmates who had filed previous allegations of sexual abuse and sexual harassment, none (0) stated that they had been placed in involuntary segregated housing as a function of their reports. As such, the EDCF has satisfied the requirements of this provision.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documents:

- KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19
- KDOC IMPP #22-103D, Investigation Procedures, 11-4-22
- Kansas Records Retention Schedules, 10-28-20
- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Investigative Staff
- Inmates Who Reported Sexual Abuse
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Reviewed investigator training certifications.
- Reviewed fifteen (15) sexual abuse and sexual harassment case files onsite.

Standard Subsections:

(A) Agency policy requires that investigations into allegations of sexual abuse and sexual harassment are done so promptly, thoroughly, and objectively for all allegations, including third-party and anonymously. A review of case files while onsite

confirmed this process.

(B) Policy (IMPP #10-103D, IMPP #22-103D) requires investigators to have received specialized training in excess of the generalized sexual abuse and sexual harassment training provided to other staff. In interviewing the EDCF PREA Compliance Manager and EDCF EAI Investigators, said staff confirmed participation in numerous related courses, to include NIC's Investigating Sexual Abuse in a Confinement Setting. Additionally, training curriculums, employee training certifications, as well as completed training rosters, provide additional documentation to support facility compliance.

(C) Per policy (IMPP #10-103D, IMPP #22-103D), EAI Investigators and/or the EDCF PREA Compliance Manager gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. Policy allows that EAI Investigators and/or the EDCF PREA Compliance Manager will interview alleged victims, suspected perpetrators, and witnesses. EAI Investigators and/or the EDCF PREA Compliance Manager are also required to review prior reports and complaints of sexual abuse involving the suspected perpetrator.

(D) Policy (IMPP #10-103D, IMPP #22-103D) allows compel interviews only after consulting with the prosecution to determine if compelled interviews may be problematic for subsequent judicial hearings, if deemed appropriate. In speaking with EDCF EAI investigators, it was noted that the facility had no concerns about bringing a case to the county prosecutor for review.

(E) Policy (IMPP #10-103D, IMPP #22-103D) requires that the credibility of an alleged victim, suspect, or witness will be assessed on an individual basis and not based on that individual's status as an inmate or staff member. Policy further prohibits the use of a polygraph test or other truth-telling device as a condition of investigating allegations of sexual abuse or sexual harassment. EAI Investigators confirm that the credibility of the interviewed subject is, in fact, determined on an individual basis after considering the totality of the evidence presented. Documentation reviewed supports adherence to this criterion.

(F) Policy requires administrative investigations to consider whether staff actions or failures to act contributed to the sexual abuse and sexual harassment. All administrative investigations are documented in written reports. As a function on that documentation, these reports include a description of the physical evidence and testimonial evidence, the reasoning behind credibly assessments, as well as

investigative facts and findings. The EDCF PREA Compliance Manager confirms that the credibility of the interviewed subject is, in fact, determined on an individual basis considering the totality of the evidence presented. Reviewed documentation supports the facility's adherence to this policy.

(G) Policy further requires that all criminal investigations are documented in written reports. As a function on that documentation, these reports include a description of the physical evidence, testimonial evidence, and documentary evidence. Reviewed documentation supports the facility's adherence to this policy.

(H) As noted by EAI Investigators and required by policy, all substantiated allegations of conduct that appear to be criminal in nature are referred for prosecution. During the audit time frame, there have been eleven (11) substantiated allegations of criminal conduct to refer for prosecution. Relevant documentation was reviewed.

(I) Policy (Record Retention Schedule) requires that all KDOC Special Investigation Case Files, to include all sexual abuse and sexual harassment investigations, are retained indefinitely.

(J) Policy mandates that the departure of the alleged abuser or victim from the employment or control of the institution or KDOC does not provide a basis for terminating an investigation.

(K) The auditor is not required to audit this provision.

(L) Policy (IMPP #10-103D, IMPP #22-103D) requires facility staff to cooperate with outside investigators and endeavor to remain informed about the progress of the investigation. In speaking with the EDCF PREA Compliance Manager and EDCF EAI Investigators, it was confirmed that should an outside agency become involved with an institutional case, facility staff would remain involved of the process.

Reasoning & Findings Statement:

The EAI operates as the law enforcement branch inside of the KDOC and maintains an office inside each KDOC prison. As such, KDOC administrative staff conduct administrative investigations while the EAI staff conduct all criminal investigations for

	allegations of sexual abuse and sexual harassment. To perform administrative and criminal investigations, KDOC staff must have met additional training requirements for conducting sexual abuse/sexual harassment investigations within a confinement setting. EAI staff do have the authority to investigate criminal cases within the KDOC, to include collecting evidence, as well as interviewing victims, suspected perpetrators, and witnesses. EAI officers have been trained on the standards of evidence required to support a finding of guilt in criminal cases. As well, EAI officers have been trained on due process and procedural requirements of criminal cases. As confirmed through interviews with KDOC and EAI staff, EAI officers and KDOC staff work collaboratively in order to facilitate communication between the two investigative processes. Lastly, it is noted that all PREA investigations are referred to the EAI to determine if the allegations necessitate a criminal investigation and/or subsequent criminal prosecution. As such, the EDCF has clearly meet the requirements of this standard.
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115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #22-103D, Investigation Procedures, 11-4-22 · Kansas Records Retention Schedules, 10-28-20 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • EDCF Facility Warden • EDCF PREA Compliance Manager • EDCF EAI Investigative Staff Site Review Observations:

	- Reviewed procedures for processing sexual abuse and sexual harassment allegations. - Reviewed fifteen (15) sexual abuse and sexual harassment case files Standard Subsections: (A) Policy (IMPP #22-103D, EAI Investigations Protocol Manuel) clearly establishes the standard of proof required to substantiate claims of sexual abuse and sexual harassment; namely that the KDOC will not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse and sexual harassment are substantiated. Specifically, per the EDCF EAI Investigators, the allegations are determined substantiated, unsubstantiated, or unfounded based on the preponderance of the evidence. Reasoning & Findings Statement: Agency policy requires that the KDOC establish a standard of proof no higher than a preponderance of the evidence when determining whether allegations of sexual abuse or sexual harassment are substantiated. When interviewed, the EDCF PREA Compliance Manager and EDCF EAI Investigators confirmed that standard of proof to be slightly more than half. As such, the EDCF has satisfied all material provisions for this standard.
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115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: - KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 - KDOC IMPP #22-103D, Investigation Procedures, 11-4-22 - Kansas Records Retention Schedules, 10-28-20

- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20
- EDCF Notification of Investigation Status: 2-1-23, 3-13-23a, 3-13-23b, 3-31-23, 6-12-23, 8-4-23

Interviews:

- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Designated Staff Member Charged with Monitoring Retaliation
- EAI Investigative Staff
- Inmates Who Reported Sexual Abuse

Site Review Observations:

- Reviewed procedures for processing sexual abuse and sexual harassment allegations.
- Reviewed fifteen (15) sexual abuse and sexual harassment case files

Standard Subsections:

(A) Policy (IMPP #22-103D, EAI Investigations Protocol Manual) requires that the KDOC will not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual misconduct are substantiated. Following an investigation into an inmate's allegation of suffering sexual abuse in an institution, EAI investigators will inform the inmate as to whether the allegations were determined to be substantiated, unsubstantiated, or unfounded. During the audit time frame, EDCF has completed forty-six (46) investigations of alleged inmate sexual abuse and sexual harassment, of which, a review of investigative files reflects that inmates were notified in writing of the results of the investigation.

(B) Policy (IMPP #22-103D, EAI Investigations Protocol Manual) further requires that if the KDOC did not conduct the investigation, it shall request the relevant information from the law enforcement agency who did conduct said investigation so that the inmate can be informed of the final disposition. In speaking with the EDCF EAI

Investigators, the communication process was discussed. However, during the audit time frame, no such cases (0) were investigated by outside agencies.

(C) Policy (IMPP #22-103D, EAI Investigations Protocol Manual) requires that when an inmate has filed allegations of sexual abuse against a staff member (unless unfounded), the institutional investigator shall inform the inmate upon the following:

- a. The staff member is no longer posted within the inmate's unit;
- b. The staff member is no longer employed at the facility;
- c. The institution learns that the staff member has been indicted on a charge related to sexual abuse within the institution;
- d. The institution learns that the staff member has been convicted on a charge related to sexual abuse within the institution.

(D) Policy (IMPP #22-103D, EAI Investigations Protocol Manual) requires that when an inmate has filed allegations of sexual abuse against another inmate, the agency must notify the inmate whenever the alleged abuser has been:

- a. Indicted on a charge related to sexual abuse within the facility and
- b. Whenever the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

(E) Policy (IMPP #22-103D, EAI Investigations Protocol Manual) requires that the agency issue in writing all notifications or attempted notifications regarding disposition to inmate allegations of sexual abuse and/or sexual harassment. Interviews with the EDCF PREA Compliance Manager and the EDCF EAI Investigators confirm adherence to said policy. However, there hasn't been any (0) inmate indictments or convictions related to inmate-on-inmate sexual abuse during the auditing time frame. As such, there wasn't any (0) documentation to review.

(F) Auditor is not required to audit this provision.

Reasoning & Findings Statement:

Agency policy requires KDOC staff to provide inmates with dispositions for all claims of sexual abuse and sexual harassment. The KDOC conducts all administrative and criminal sexual abuse/sexual harassment investigations. Agency policy provides that

	all inmates who have filed a previous substantiated sexual abuse and sexual harassment claims against agency staff or other inmates, receives notification upon a change in housing status for the inmate or a change in job status for the employee. Lastly, policy requires these notifications to be documented. Within the audit time frame, EDCF documentation reflects inmates are notified of the final disposition to sexual abuse and sexual harassment claims as required by policy. Also, in speaking with inmates who have filed sexual abuse and sexual harassment claims, these persons state that they were provided with a final disposition to their claims. As such, the EDCF is operating in accordance with all parts of this provision.
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115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #02-120D, Employee Disciplinary Procedures and Informal/Formal Actions, 5-7-15 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Gate Stop: 4-11-23, 6-21-23, 8-14-23 Interviews: • EDCF Facility Warden • EDCF PREA Compliance Manager • Administrative (Human Resources) Staff • Investigative Staff • Random Staff

Site Review Observations:

- Review of staff disciplinary protocols for sexual abuse and sexual harassment determinations.

Standard Subsections:

(A) Policy (IMPP #02-120D, IMPP #10-103D) clearly advises staff that employees will be subject to disciplinary sanctions up to and including termination for violating KDOC sexual misconduct policies. Interviews with the EDCF PREA Compliance Manager, EDCF Facility Warden, and the EDCF Institutional Investigators confirm facility adherence to agency policy specific to employee disciplinary and termination processes for any employee found to be engaging in acts of sexual abuse or sexual harassment. Interviews with random staff reflect employee awareness to zero-tolerance policies for engaging in sexual abuse and sexual harassment of inmates. During the audit time frame, there have been three (3) staff from the facility who have violated agency sexual abuse or sexual harassment policies. Documentation reflects that facility staff did take appropriate action relevant to their employment.

(B) Policies (IMPP #02-120D, IMPP #10-103D) continues by noting that any perpetrator of a sexual abuse or sexual harassment will be dealt with through discipline or prosecution to the fullest extent permitted by law. In this, termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse of an inmate. Documentation reflects that facility staff did take appropriate action relevant to their employment.

(C) Policies (IMPP #02-120D, IMPP #10-103D) stipulate 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. Interviews with the EDCF PREA Compliance Manager, EDCF Warden, and EDCF Institutional Investigators confirm their adherence to agency policy specific to employee disciplinary processes for any employee in violation of agency policies relating to sexual abuse or sexual harassment other than having actually engaged in sexual abuse.

(D) Policy (IMPP #02-120D, IMPP #10-103D) notes that staff found in violations of the

	agency's sexual abuse policies will be prosecuted to the fullest extent of the law. In that, the KDOC will aid in the persecution of any criminal charges to the fullest extent possible. Additionally, along with referrals to law enforcement agencies, staff, when appropriate, are also referred to the licensing board that governs their employment credentials. In this, documentation reflects that facility staff did take appropriate action relevant to said staff employment. Reasoning & Findings Statement: This standard works to ensure agency staff understand the gravity and the criminal nature of engaging in sexual abuse or sexual harassment of incarcerated persons. The State of Kansas has made the consequences of engaging in such behavior exceptionally clear. During the audit time frame, there have been three (3) EDCF staff members who violated the agency sexual abuse and sexual harassment policy. Documentation reflects that appropriate action was taken relative to their employment. During staff interviews, all staff expressed a clear knowledge of the agency's zero tolerance policy. In total, the KDOC, as well as EDCF administration, have satisfied the provisions of this standard.
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115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #13-101D, Volunteering, 10-22-14 · KDOC IMPP #01-106D, Denial of Entry for Contract Personnel, 9-20-16 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • Agency Contract Administrator

- EDCF Facility Warden
- Investigative Staff
- Administrative (Human Resources) Staff
- Contractors Who May Have Contact with Inmates

Site Review Observations:

- Review contractor/volunteer files

Standard Subsections:

(A) Policy (IMPP #13-101D) advises contractors and volunteers that no person should allow themselves to show partiality toward, or become emotionally, physically, or financially involved with inmates, paroles, probationers, transitional controlees or their families, or establish any pattern of social fraternization said persons. Policy (IMPP #10-103D, IMPP #13-101D) further notes that any contractor or volunteer who engages in sexual misconduct is prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and also to relevant licensing bodies. Interviews with contracted staff and volunteers evidenced that the agency's zero-tolerance policy was institutionalized. A review of contractor/volunteer files and PREA training materials indicates that all such persons are aware of agency policy regarding the sexual abuse and sexual harassment of inmates. During the audit time frame, EDCF found one (1) contractor/volunteer to have engaged in sexual abuse of an inmate who was subsequently reported to a law enforcement agency for said conduct.

(B) Policy (IMPP #10-103D, IMPP #13-101D) states that the facility will take appropriate remedial measures and terminate the contract or volunteer arrangement with independent contractors or volunteers or shall demand that the offending employee of a contractor be excluded from providing services under the contract. Interviews with contracted staff and volunteers evidenced that the agency's zero-tolerance policy was institutionalized. A review of contractor/volunteer files and PREA training materials indicates that all such persons are aware of agency policy regarding the sexual abuse and sexual harassment of inmates. During the audit time frame, EDCF found one (1) contractor/volunteer to have engaged in sexual abuse of an inmate. Said individual was subsequently barred from the facility entrance point in order to prevent additional contact with inmates.

	Reasoning & Findings Statement: Policy expressly states that contactors and volunteers who engage in sexual abuse with inmates will be removed from contact with inmates pending the outcome of the investigation. Contractors or volunteers who engage in sexual abuse will be reported to law enforcement and to any relevant licensing body. These persons will also be subject to criminal sanctions. During the audit time frame, the EDCF found one (1) contractor/volunteer to have engaged in sexual abuse of an inmate. Said individual was subsequently barred from the facility entrance point in order to prevent additional contact with inmates. During EDCF contractor and volunteer interviews, both the prohibition against sexual abuse and sexual harassment of inmates, as well as the consequences of having engaged such, were clearly known. Documentation of contractor and volunteer training records further supports this assertion. Hence, the provisions of this standard have been met and EDCF is in compliance with such.
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115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC Inmate Rule Book, 6-10-19 · Kansas Statute, 44-12-1001, Effective 7-13-07 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Notification of Investigation Status: 2-1-23, 3-13-23a, 3-13-23b, 3-31-23, 6-12-23, 8-4-23 Interviews: · EDCF Facility Warden

- EDCF PREA Compliance Manager
- Investigative Staff
- Medical Staff
- Mental Health Staff
- Random Staff
- Random Inmates

Site Review Observations:

- Review of inmate disciplinary files
- Review of fifteen (15) PREA case files

Standard Subsections:

(A) Policy (Kansas Statute, 44-12-1001, IMPP #10-103D) provides the standards associated with disciplinary hearings, to includes hearings related to inmate-on-inmate sexual abuse/sexual harassment. Policy (Kansas Statute, 44-12-1001, IMPP #10-103D) further notes that following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, said inmate is subject to disciplinary sanctions pursuant to formal disciplinary processes. During the audit time frame, the EDCF has found seven (7) instances of administrative or criminal findings of inmate-on-inmate sexual abuse, with no (0) subsequent criminal finding of guilt occurring at the facility.

(B) Policy (Kansas Statute, 44-12-1001, IMPP #10-103D) ensures that disciplinary sanctions imposed are 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. As well, sanctions consider aggravating and mitigating factors. As there have not been any (0) such findings during the audit time frame, there is no relevant documentation for review.

(C) When determining an inmate's disciplinary sanctions, policy (Kansas Statute, 44-12-1001, IMPP #10-103D) does consider how an inmate's mental disabilities or mental illness contributed to his behavior. EDCF disciplinary documentation reflects

that the mental disabilities of inmates are, in fact, given consideration during the disciplinary process. As there have not been any (0) such findings during the audit time frame, there is no relevant documentation for review.

(D) Per policy (Kansas Statute, 44-12-1001, IMPP #10-103D), inmates found guilty of sexual abuse shall be given appropriate programming and interventions if determined to be necessary by mental health services in consultation with sex inmate services. As noted by EDCF Mental Health staff, programming and/or interventions services are provided to inmates found to have engaged in sexual abuse.

(E) Per policy (Kansas Statute, 44-12-1001, IMPP #10-103D), the KDOC may discipline an inmate for sexual contact and/or sexual conduct with staff only upon finding out that the staff member did not consent to such contact or conduct.

(F) Per policy (Kansas Statute, 44-12-1001, IMPP #10-103D), a report made in good faith based upon a reasonable belief that the alleged conduct did occur does not constitute falsely reporting an incident or lying for the purpose of disciplinary action, even if the investigation does not establish evidence sufficient to substantiate the allegations.

(G) Per policy (Kansas Statute, 44-12-1001, IMPP #10-103D), the agency clearly distinguishes between consensual sex, which is still a violation of agency policy, and inmate-on-inmate sexual abuse, which is defined as when one or more inmates engage in sexual conduct, including sexual contact, with another inmate against his or her will or by use of force, threats, intimidation, or other coercive actions.

Reasoning & Findings Statement:

The inmate disciplinary process is a formal means to address institutional misconduct. The EDCF uses a progressive disciplinary system, which allows for consideration of aggravating and mitigating factors. Within the audit time frame, the EDCF has processed seven (7) administrative or criminal findings of guilt regarding inmate-on-inmate sexual abuse that occurred at the facility. Relevant documentation was reviewed. Staff interviews do confirm aggravating and mitigating factors are considered as a function of the disciplinary process. In considering agency policies, facility procedures, staff interviews, and inmate comments, EDCF is compliant with disciplinary standards as required under this provision.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #10-139D, Screening for Sexual Victimization and Abusiveness, 10-16-19 · KDOC IMPP #16-104D, Consent and Refusal of Health Care Services, 11-1-21 · KDOC SVA Scoring, 2021 · Centurion, P-F-06a, Federal Sexual Abuse Regulations, 7-1-20 · Centurion, Consent to Evaluate Sexual Abuse Allegation Form, 3-23-17 · Centurion, Initial Evaluation Sexual Abuse Allegation Form, 3-20-17 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 · EDCF Audit Spreadsheet, 2023 Interviews: • EDCF PREA Compliance Manager • Intake Staff • Investigative Staff • Medical Staff • Mental Health Staff • Staff Who Perform Screening for Risk of Victimization and Abusiveness • Inmates Who Reported Sexual Victimization During Risk Screening Site Review Observations:

- Observed Medical Department and Risk Screening Areas
- Review of Medical/Mental Health PREA Screening Forms

Standard Subsections:

(A) Policy (IMPP #10-139D) requires that upon arrival, all EDCF inmates are screened for sexual abuse risk factors. If the assessment indicates that the inmate has had prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will offer a follow-up meeting with a mental health or medical practitioner within fourteen calendar days of the intake screening. Interviews with inmates who reported previous sexual victimization verify that they were subsequently offered a follow-up meeting with Mental Health or that they were offered that follow up at the time of Intake. A review of mental health referrals, as well as conversations with medical and mental health staff, confirm the institutionalization of this practice. During the audit time frame, 100% of inmates who disclosed prior victimization during intake screening were offered a follow-up meeting with a medical or mental health practitioner.

(B) Per policy (IMPP #10-139D), persons with a history of being sexually abusive must be referred for mental health services within 14 calendar days. In speaking with Mental Health staff, it is noted that the nature of the referral is in accordance with the individualized needs of each inmate. As noted by the EDCF PREA Compliance Manager, within the audit time frame, there have been seven (7) inmates received at the EDCF who had previously perpetrated sexual abuse, as indicated during the risk screening. All such inmates received appropriate referrals to a mental health practitioner as required.

(C) Per policy (IMPP #10-103D, IMPP #10-139D, P-F-06a), regular mental health referrals are addressed within a timeframe consistent with the nature of the referral and within 14 days of the intake screening. Review of PREA assessment documentation verifies EDCF's adherence to agency policy.

(D) Per policy (IMPP #10-103D, IMPP #10-139D, P-F-06a) and in accordance with the Prison Rape Elimination Act (PREA) Standards, 28 C.F.R. 115.81, 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 laws. As noted by medical and mental health staff during the interview process, 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. A review of documentation does support facility adherence to policy.

(E) Per policy (IMPP #10-103D, IMPP #10-139D, IMPP #16-104D, P-F-06a) and in accordance with the Prison Rape Elimination Act (PREA) Standards, 28 C.F.R. §115.81, 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 laws. As noted by medical and mental health staff during the interview process, 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 years or considered a vulnerable adult. In speaking with medical and mental health staff, it was noted that staff do require informed consent prior to reporting incidents of prior sexual victimization that did not occur in an institutional setting for all persons except juveniles and individuals with developmental disabilities. A review of documentation does support facility adherence to policy.

Reasoning & Findings Statement:

Policy (IMPP #10-139D) requires that upon arrival, all EDCF inmates will be screened for sexual abuse risk factors. If the assessment indicates that the inmate had suffered prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will offer a follow-up meeting with a mental health or medical practitioner within fourteen calendar days of the intake screening. Interviews with inmates who reported previous sexual victimization verify that they were subsequently offered a follow-up meeting with Mental Health or that they were offered that follow up at the time of Intake. A review of mental health referrals, as well as conversations with medical and mental health staff, confirm the institutionalization of this practice. Within the audit time frame, there have been seven (7) inmates received at the EDCF who previously perpetrated sexual abuse, as indicated during risk screening. As such, appropriate referral documentation was reviewed to assure said inmates had the opportunity to access a mental health practitioner. As noted by medical and mental health staff, the EDCF is providing routine and regular medical screens and other health services in accordance to qualified medical assessments, as well as to policy. Documentation specific to the PREA assessment form for medical and mental health staff reflects the appropriate

	use of the screening tool to determine necessary housing and medical needs. Lastly, per agency policy, all inmates except juveniles and individuals with developmental disabilities, are required to provide informed consent prior to facility staff reporting information about prior sexual victimization that did not occur in an institutional setting. Hence, the facility is meeting all provisions as established within this standard.
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115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC IMPP #10-139D, Screening for Sexual Victimization and Abusiveness, 10-16-19 · KDOC IMPP #10-114D, Availability of Emergency Medical, Dental and Behavioral Health Services, 10-6-15 · KDOC IMPP #10-122D, Access to and Availability of Health Care Services, 10-15-15 · KDOC IMPP #16-101D, Non-Essential Medical Services and Procedures for Residents, 11-1-21 · KDOC SVA Scoring, 2021 · Kansas Administrative Rule (KAR) #44-5-115, Inmate Management, Service Fees · Centurion, P-F-06a, Federal Sexual Abuse Regulations · Centurion, P-F-06, Response to Sexual Abuse, 7-1-20 · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • EDCF PREA Compliance Manager

- Medical Staff
- Mental Health Staff
- Wesley Medical Center and St. Francis Hospital Staff
- Security Staff and/or Non-Security Staff Who Have Acted As First Responders
- Random Staff

Site Review Observations:

- Observed Medical Department/Records Storage Area
- Review of Medical/Mental Health Screening Form
- Review of Medical Protocol

Standard Subsections:

(A) In accordance with the KDOC and Centurion Health Care policy, all inmates reporting sexual abuse will be escorted to health services as soon as possible. In interviewing medical and mental health staff, said staff confirmed the ability to treat inmates in accordance to their professional medical judgement. It was further noted by medical and/or mental health staff, that if can staff cannot provide medical treatment that is evidentiary or medically appropriate, the inmate will be transported to the Emergency Department (ED) for examination, treatment, and counseling.

(B) As noted by Medical/Mental Health staff, the facility maintains twenty-four (24) hour medical coverage, to include an on-call physician (IMPP #10-114D). Additionally, staffing requirements, and subsequent scheduling documentation, confirms the continuous availability of qualified medical and mental health staff. Lastly, during interviews with first responders, as well as random security staff, all personnel recognized with immediacy the need to notify medical staff of any sexual abuse allegations.

(C) As noted by Medical/Mental Health staff, inmates alleging sexual abuse will be transported to the area hospital where they will receive timely and appropriate prophylactic information and treatment for sexually transmitted diseases as medically appropriate (IMPP #10-114D). In speaking with medical staff, adherence to this policy

	was confirmed. In speaking with medical and hospital personnel, it was further noted that all medical precautions, to include appropriate prophylactic information and treatment for sexually transmitted diseases, are given to victims of sexual abuse. Inmates who had previously made allegations of sexual abuse also confirmed that they had received medical and/or mental health treatment in a timely manner. (D) Policy (IMPP #10-103D) allows that all inmates claiming sexual abuse shall have access to forensic medical examinations at an outside facility without financial cost where evidentiary or medically appropriate. These services are provided to the alleged victim regardless of whether the victim names the alleged abuser or cooperates with any investigation arising out of the incident (KAR #44-5-115). In speaking with medical staff, adherence to this policy was confirmed. Additionally, inmates who had previously received medical treatment for allegations of sexual abuse confirmed that they were not charged a medical fee for said services. Reasoning & Findings Statement: This standard is designed to provide inmates access to emergency medical and mental health services. In this, facility staff are meeting all the provisions within this standard. Policy allows that upon receipt of an inmate into the Medical Department, medical staff shall determine the inmate's course of treatment; specifically, what is medically indicated on the basis of evidence collection or physical trauma. Inmate interviews further acknowledge that inmates are provided appropriate medical and mental health treatment, as well as access to advocacy services from local rape crisis centers. Lastly, documentation reflecting access to medical and mental health care, to include outside services, was reviewed. In reviewing the totality of the information provided, the EDCF has met the provisions of this standard.
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115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19

- KDOC IMPP #10-139D, Screening for Sexual Victimization and Abusiveness, 10-16-19
- KDOC IMPP #10-114D, Availability of Emergency Medical, Dental and Behavioral Health Services, 10-6-15
- KDOC IMPP #10-122D, Access to and Availability of Health Care Services, 10-15-15
- KDOC IMPP #16-101D, Non-Essential Medical Services and Procedures for Residents, 11-1-21
- KDOC SVA Scoring, 2021
- Kansas Administrative Rule (KAR) #44-5-115, Inmate Management, Service Fees
- Centurion, P-F-06a, Federal Sexual Abuse Regulations
- Centurion, P-F-06, Response to Sexual Abuse, 7-1-20
- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20

Interviews:

- EDCF PREA Compliance Manager
- Medical Staff
- Mental Health Staff
- Wesley Medical Center and St. Francis Hospital Staff

Site Review Observations:

- Observed Medical Department
- Review of Medical and Mental Health PREA Screening Forms

Standard Subsections:

(A) Policy (IMPP #10-103D) requires that all allegations of sexual assault must be

evaluated immediately by the facility health staff. In providing this evaluation, medical services should follow medical policy, which includes instructions for assuring appropriate examination, documentation, transport to the local emergency department, testing for sexually transmitted diseases, counseling, prophylactic treatment, follow-up, and referral for mental health evaluation. In speaking with medical and mental health staff, adherence to this policy was confirmed. In speaking with correctional staff, there were no instances where any staff indicated that the medical or mental health departments had ever, or would ever, refuse to provide medical or mental health treatment to any inmate who claimed to have been a victim of sexual abuse. In speaking with inmates who were previously receiving mental health treatment services for sexual abuse allegations, they confirmed that upon request, they were allowed to speak with mental health staff at their assigned facility.

(B) In reviewing a collection of mental health policies, as well as speaking with Medical/Mental Health staff, it is evident that the KDOC offers continuing mental health services to inmates throughout their assignment to the KDOC, and if appropriate, follow-up care with an outside facility.

(C) As noted by Medical/Mental Health staff, agency policy requires that all victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. If it is not medically appropriate to refer the inmate to an outside hospital for a forensic exam, the inmate is treated in the facility infirmary after evaluation by a primary care provider. In each instance, as confirmed by medical and mental health staff, related services are provided in accordance to the judgement of qualified health care providers.

(D) Within the audit time frame, EDCF has not had any (0) biological females assigned to the facility. As such, pregnancy tests are not medically appropriate.

(E) Within the audit time frame, EDCF has not had any (0) biological females assigned to the facility. As such, pregnancy services are not medically appropriate.

(F) Per staff assigned to the local hospital, when medically appropriate, victims are offered tests for sexually transmitted infections. In speaking with hospital staff, it was noted that all inmates are provided medical services as appropriate for the nature of their concerns. In speaking with inmates who had previously alleged sexual abuse, agency adherence to this policy was confirmed.

	(G) Policy (IMPP #10-103D) requires that victims of sexual abuse shall have access to forensic medical examinations at an outside facility without financial cost where evidentiary or medically appropriate. In speaking with medical staff, as well as local hospital staff, adherence to this policy was confirmed. Additionally, EDCF inmates who had previously received medical treatment for allegations of sexual abuse also confirmed that they were not charged a medical fee for said services. (H) Policy (IMPP #10-103D, IMPP #10-139D) requires that mental health services will conduct mental health evaluations on known abusers within sixty (60) calendar days of learning of such history and offer treatment when deemed appropriate. In speaking with Mental Health staff, the need for known abusers to receive mental health services was stressed. Reasoning & Findings Statement: This standard is designed to ensure ongoing medical and mental health care for sexual abuse victims and abusers. The EDCF offers qualified and coordinated medical and mental health care regardless of an inmate's ability to pay for said services. As appropriate, inmates are provided the opportunity to attend follow-up treatments, for both medical and mental health services. Once established, agency policy requires that access to said treatment follows the inmate throughout the KDOC system and can be coordinated with community care upon the inmate's release from the KDOC. Per medical and mental health staff, since their services are coordinated, the medical and mental health opportunities provided throughout and across the agency are far greater than the community level of care. Accordingly, the EDCF Medical and Mental Health Departments have collectively exceeded the provisions of this standard.
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115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19

- KDOC IMPP #12-118D, Serious Incident Review Board Actions Pending and Subsequent to Incident Reviews, Sexual Incident Review, 3-28-18
- KDOC PREA Application User Manual, 12-20-17
- KDOC Memo, Retaliation Monitoring and SAIR Board Review, 6-29-23
- EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20
- EDCF Sexual Abuse Incident Reviews Notification and Purpose Memo, 3-16-23
- EDCF Sexual Abuse Incident Reviews: November 2022 – September 2023

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager
- Incident Review Team Member

Site Review Observations:

- Inspected Incident Review Team procedures
- Inspected Incident Review Team minutes

Standard Subsections:

(A) Policy (IMPP #12-118D, IMPP #10-103D) indicates that a Sexual Abuse Incident Review (SAIR) Team shall review all sexual abuse incidents, unless determined to be unfounded, within thirty (30) calendar days of the conclusion of the investigation. During the audit time frame, the EDCF concluded twenty-five (25) sexual abuse allegations, excluding only unfounded incidents. Per the EDCF PREA Compliance Manager, however, the EDCF engaged SAIR Team Meetings on all allegations once disposed, to include all substantiated, unsubstantiated, and unfounded dispositions to both sexual abuse and sexual harassment allegations. These review teams were all held within 30 days of disposing the allegations.

(B) Policy (IMPP #12-118D, IMPP #10-103D) requires the SAIR to review all sexual abuse incidents, unless determined to be unfounded, within thirty (30) calendar days of the conclusion of investigation. During the audit time frame, the EDCF concluded twenty-five (25) sexual abuse allegations, excluding only unfounded incidents. All relevant investigations were subsequently inspected by the SAIR within 30 days of concluding the investigation.

(C) Policy (IMPP #12-118D) requires that “each facility shall conduct a sexual abuse incident review coordinated by the facility PREA Compliance Manager at the conclusion of every sexual abuse investigation, including those in which the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Such reviews shall ordinarily occur within 30 days of the conclusion of the investigation. Per agency policy, the SAIR team shall include, at a minimum:

- The PREA Compliance Manager, or other staff designated by the warden/superintendent, as chairperson;
- The EAI Special Agent Supervisor or EAI Special Agent;
- A CSII/JCOIII (Lieutenant) or higher;
- A health care or mental health professional; and
- Additional staff as appointed by the warden/superintendent.

(D) Policy (IMPP #12-118D) requires that the SAIR shall consider:

- whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse,
- 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,
- Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- Assess the adequacy of staffing levels in that area during different shifts, and
- Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

Upon concluding the SAIR meeting, a report shall be prepared of its findings, as well as any recommendations for improvement.

	(E) Upon completion of the incident review report, “the facility shall implement the recommendations for improvement or shall document its reasons for not doing so” (IMPP #12-118D). In speaking with the EDCF Warden, the responsibilities of the managing officer to implement SAIR recommendations was explained. Reasoning & Findings Statement: During the audit time frame, the EDCF concluded twenty-five (25) sexual abuse allegations, excluding only unfounded incidents. Per the EDCF PREA Compliance Manager, however, the EDCF engaged SAIR Team Meetings on all allegations once disposed, to include all substantiated, unsubstantiated, and unfounded dispositions to both sexual abuse and sexual harassment allegations. These review teams were also all held within 30 days of disposing the allegations. In speaking with the EDCF PREA Compliance Manager, the EDCF Warden, and the EDCF EAI Investigators, each person explained their role within the incident review process. As such, the EDCF has clearly exceeded the requirements of this standard.
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115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion Documents: • KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 • KDOC Survey of Sexual Victimization, 2021 • KDOC Memo, Link to Contracted Facilities • KDOC 2021 Annual PREA Report • KDOC 2022 Annual PREA Report • EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • Agency PREA Coordinator

- EDCF Facility Warden
- EDCF PREA Compliance Manager

Site Review Observations:

- Extensive review of agency website/PREA section
- Reviewed 2022 Annual PREA Report

Standard Subsections:

(A) Policy (IMPP #10-103D) provides all staff within the KDOC a standardized set of definitions specific to sexual abuse/sexual harassment allegations. Policy (IMPP #10-103D) further mandates that all investigators will report their investigative summary and report, as well as other relevant documentation, "in as prompt a manner as possible." In speaking with the EDCF EAI Investigators, adherence to this provision was confirmed.

(B) Policy (IMPP #10-103D) further requires that "the KDOC PERA Coordinator must, on an annual basis, review and analyze the aggregated data to assess for compliance with the national PREA standards and to improve the effectiveness of the sexual abuse prevention and intervention program."

(C) Per the PREA Coordinator, the KDOC utilizes the U.S. Department of Justice, Bureau of Justice Statistics, Survey of Sexual Victimization, to report its statistical data. The data collection device includes information necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Bureau of Justice Statistics.

(D) Per the EDCF EAI Investigators, all case files entered into the EAI Case Log are maintained indefinitely.

(E) Per the PREA Coordinator, the agency does require contracted agencies to collect incident-based and aggregated data. This data is made available to the public through review of the agency's website: <https://www.doc.ks.gov/facilities/prea/>

	contracts (F) Per the PREA Coordinator, the agency is required to provide aggregated data on sexual abuse and sexual harassment occurring within the KDOC to the Department of Justice (DOJ); specifically, the Bureau of Justice Statistics, on an annual basis. This data is provided to the DOJ no later than June 30th of each year. Reasoning & Findings Statement: This standard works to ensure that specific data relative to promoting sexual safety within a correctional institution is collected on a monthly basis. That data is then aggregated and made available for public review. The EDCF has complied with the timely collection of said data and subsequently furnishes it to appropriate entities as required. Hence, the EDCF has met all provisional requirements and is in compliance with this standard.
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115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC Survey of Sexual Victimization, 2021 · KDOC Memo, Link to Data Storage, Publication, and Destruction, 7-1-20 · KDOC Memo, Link to KDOC public website · KDOC 2021 Annual PREA Report · KDOC 2022 Annual PREA Report · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews:

- Agency Head
- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager

Site Review Observations:

- Extensive review of agency website/PREA section
- Reviewed KDOC 2021 Annual PREA Report
- Reviewed KDOC 2022 Annual PREA Report

Standard Subsections:

(A) Policy (IMPP #10-103D) requires the PREA Coordinator to review data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training. Specifically, the KDOC works to identify problem areas, take corrective action on an ongoing basis, and prepares an annual report of its findings from the data review and any corrective actions for each facility, as well as the agency as a whole. The PREA Coordinator confirmed adherence to this policy. As well, the KDOC Annual PREA Report for years 2021 and 2022 does reflect the intelligent use of said data.

(B) A review of the KDOC Annual PREA Report for years 2021 and 2022 include annual statistics that compare the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse. The PREA Coordinator confirms adherence to this policy. As well, the KDOC 2022 Annual PREA Report and KDOC 2021 Annual PREA Report reflect this purpose.

(C) Policy (IMPP #10-103D) requires that upon completion of each year's Annual Internal Report on Sexual Assault Data, "the report shall be approved by the Director and posted on the DRC internet site." A review of the KDOC website indicates that upon approval from the agency director, the report is then made available to the public through the KDOC website. The PREA Coordinator confirms adherence to this policy. Furthermore, a review of the KDOC website finds all agency PREA reports

	publicly available: https://drc.Kansas.gov/prea (D) Policy (IMPP #10-103D) requires that “any information redacted from the report due to a clear and specific threat to the safety and security of the facility must indicate the reason for redaction.” In speaking with the agency PREA Coordinator, it was noted that should the agency need to redact specific information other than publicly identifying statistics, proper procedural restraints would be applied. Reasoning & Findings Statement: This standard works to determine if agency, and by extension, facility base staff use aggregated data to promote the overall safety and security of the facility. In speaking with the agency-wide PREA Coordinator, EDCF PREA Compliance Manager, and the EDCF Warden, the manner in which these persons utilized the data to improve overall institutional safety, based on their role within the agency, was explained. Hence, the EDCF has demonstrated clear compliance with each of the provisions, and as such, has reached the goal of the standard.
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115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 · KDOC Survey of Sexual Victimization, 2021 · KDOC Memo, Link to Data Storage, Publication, and Destruction, 7-1-20 · KDOC Memo, Link to KDOC public website · KDOC Kansas Records Retention Schedules · KDOC 2021 Annual PREA Report · KDOC 2022 Annual PREA Report · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20

Interviews:

- Agency PREA Coordinator
- EDCF Facility Warden
- EDCF PREA Compliance Manager

Site Review Observations:

- Extensive review of agency website/PREA section

Standard Subsections:

(A) Per the EDCF EAI Investigators, all investigative data is retained permanently. The PREA Coordinator confirms agency compliance with this directive. As well, review of the agency website reflects the collection of all annual aggregated reports previously published pursuant to §115.87.

(B) The PREA Coordinator confirms agency compliance with this provision. As well, review of the agency website reflects the collection of all annual aggregated reports previously published pursuant to §115.87. This data is made readily available to the public through the KDOC website.

(C) The PREA Coordinator confirms that all personal identifiers have been removed from publicly available data.

(D) Per the EDCF EAI Investigators, all investigative data is retained permanently. The PREA Coordinator confirms agency compliance with this directive. As well, review of the agency website reflects the collection of all annual aggregated reports previously published pursuant to §115.87. This data is made readily available to the public through the KDOC website.

Reasoning & Findings Statement:

	This standard works to ensure both public availability and agency integrity in the presentation of aggregated sexual abuse data. In reviewing agency documents and speaking with staff, it is more than apparent that both the KDOC PREA Coordinator, as well as the administration of the EDCF, operate with transparency in government. As such, the facility has clearly obtained each provision, and thus, satisfactorily achieve overall compliance.
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115.401	Frequency and scope of audits
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 KDOC PREA Webpage · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • Agency PREA Coordinator • EDCF Facility Warden • EDCF PREA Compliance Manager • Random/Targeted Staff • Random/Targeted Inmates Site Review Observations: • Onsite inspection of the entire EDCF • Review of documentation available via the KDOC PREA website

	Standard Subsections: (A) As evidenced by presence of facility audits on the KDOC website, and confirmed by the PREA Coordinator, PREA Audits have been completed at all KDOC correctional facilities to provide for at least one-third of each facility type operated by the Agency being audited during each audit year. (B) This is Audit Year 2 of Cycle 4. (H) The auditor had full access to all areas of the facility. (A) All documents requested by the auditor were received in a timely manner. (A) The auditor was permitted to conduct private interviews with inmates. (B) Inmates were permitted to correspond with the auditor using privileged mail processes. Reasoning & Findings Statement: Both the PREA Coordinator and the EDCF PREA Compliance Manager were exceptionally prepared for this review. The auditor was provided the PAQ well in advance of arriving to the facility. The auditor was given unrestricted access to the institution and provided with all reference materials requested. The auditor was provided with a convenient location from which to interview both employees and staff in a confidential manner. Agency staff ensured that the flow of interview traffic was never restricted and that the auditor was able to attend all requested inmate functions throughout the facility as needed. The auditor did not experience any significant barriers, at any stage of the audit, that were under the control of either the agency or the EDCF. Accordingly, EDCF has exceeded the provisions of this standard.
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	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: · KDOC IMPP #10-103D, Coordinated Response to Sexual Abuse and Harassment, 10-16-19 KDOC PREA Webpage · EDCF General Orders #09-130, Sexual Abuse Prevention Program, 12-2-20 Interviews: • Agency PREA Coordinator • EDCF PREA Compliance Manager Site Review Observations: • Review of documentation available via the KDOC PREA website Standard Subsections: (F.) A review of the agency website reflects that the KDOC has published all final audit reports for prior audits completed during the last three years preceding this audit. The PREA Coordinator affirms that all facilities within the KDOC have been audited, and their reports subsequently published, on the agency’s website. Reasoning & Findings Statement: The function of this standard is to promote transparency in government by ensuring that all facility audits are available for public review, by way of, for example, the agency’s website. In this case, the KDOC does have an agency website and has made all facility PREA reports conveniently accessible to the public.

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

	that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	
115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into	yes

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

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

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

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

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who	yes

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

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

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

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

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

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

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

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

	Garrrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or	yes

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

	screening instrument?	
115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10)	yes

	Whether the inmate is detained solely for civil immigration purposes?	
115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive	yes

	information is not exploited to the inmate's detriment by staff or other inmates?	
115.42 (a) Use of screening information		
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b) Use of screening information		
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c) Use of screening information		
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would	yes

	present management or security problems?	
115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing	yes

	solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	
115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes
115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
115.43 (c)	Protective Custody	

	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d) Protective Custody		
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e) Protective Custody		
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a) Inmate reporting		
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.51 (b) Inmate reporting		
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain	yes

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

	this standard.)	
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
115.52 (f)	Exhaustion of administrative remedies	

	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.).	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers,	na

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

	abuse or sexual harassment or retaliation?	
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in	yes

	response to an incident of sexual abuse?	
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes
115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of	yes

	sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations	yes

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

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

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

	abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes
115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes

	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish	yes

	evidence sufficient to substantiate the allegation?	
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	yes
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior	yes

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

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

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

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

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

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

(f)			
	<table><tr><td data-bbox="316 174 1289 568"> The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.) </td><td data-bbox="1289 174 1490 568">yes</td></tr></table>	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes
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