

# PREA Facility Audit Report: Final

**Name of Facility:** Northeast Correctional Complex

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 04/12/2024

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Debra D. Dawson	<b>Date of Signature:</b> 04/12/2024

AUDITOR INFORMATION	
<b>Auditor name:</b>	Dawson, Debra
<b>Email:</b>	dddawsonprofessionalaudits@gmail.com
<b>Start Date of On-Site Audit:</b>	02/26/2024
<b>End Date of On-Site Audit:</b>	02/28/2024

FACILITY INFORMATION	
<b>Facility name:</b>	Northeast Correctional Complex
<b>Facility physical address:</b>	5249 Highway 67 West, Mountain City, Tennessee - 37683
<b>Facility mailing address:</b>	

Primary Contact
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<b>Name:</b>	Ashley Dyson
<b>Email Address:</b>	ashley.m.dyson@tn.gov
<b>Telephone Number:</b>	423-727-3355

<b>Warden/Jail Administrator/Sheriff/Director</b>	
<b>Name:</b>	Brian Eller
<b>Email Address:</b>	Brian.L.Eller@tn.gov
<b>Telephone Number:</b>	423-727-3510

<b>Facility PREA Compliance Manager</b>	
<b>Name:</b>	Ashley Fenyus
<b>Email Address:</b>	ashley.m.fenyus@tn.gov
<b>Telephone Number:</b>	O: 423-727-3355

<b>Facility Health Service Administrator On-site</b>	
<b>Name:</b>	Willie Duty
<b>Email Address:</b>	wduty@TeamCenturion.com
<b>Telephone Number:</b>	423-727-3533

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	1701
<b>Current population of facility:</b>	1338
<b>Average daily population for the past 12 months:</b>	1383
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	Males

<b>Age range of population:</b>	18-81
<b>Facility security levels/inmate custody levels:</b>	Trustee/ Close (Level 4)
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	373
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	77
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	105

#### AGENCY INFORMATION

<b>Name of agency:</b>	Tennessee Department of Correction
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	320 Sixth Avenue North, Nashville, Tennessee - 37243
<b>Mailing Address:</b>	
<b>Telephone number:</b>	

#### Agency Chief Executive Officer Information:

<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	

#### Agency-Wide PREA Coordinator Information

<b>Name:</b>	Blake Pollock	<b>Email Address:</b>	Blake.H.Pollock@tn.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:

0

#### Number of standards met:

45

#### Number of standards not met:

0

## POST-AUDIT REPORTING INFORMATION

### GENERAL AUDIT INFORMATION

#### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2024-02-26
2. End date of the onsite portion of the audit:	2024-02-28

#### Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	Sexual Assault Crisis Center; Branch House Family Justice Center

### AUDITED FACILITY INFORMATION

14. Designated facility capacity:	1712
15. Average daily population for the past 12 months:	1383
16. Number of inmate/resident/detainee housing units:	0
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

<b>36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:</b>	1377
<b>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:</b>	35
<b>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:</b>	3
<b>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:</b>	23
<b>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:</b>	18
<b>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:</b>	10
<b>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:</b>	27

<p><b>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:</b></p>	<p>7</p>
<p><b>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:</b></p>	<p>9</p>
<p><b>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:</b></p>	<p>31</p>
<p><b>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:</b></p>	<p>0</p>
<p><b>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):</b></p>	<p>No text provided.</p>
<p><b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b></p>	
<p><b>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:</b></p>	<p>370</p>
<p><b>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:</b></p>	<p>111</p>

<p><b>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:</b></p>	<p>77</p>
<p><b>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:</b></p>	<p>No text provided.</p>
<p><b>INTERVIEWS</b></p>	
<p><b>Inmate/Resident/Detainee Interviews</b></p>	
<p><b>Random Inmate/Resident/Detainee Interviews</b></p>	
<p><b>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</b></p>	<p>21</p>
<p><b>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</b></p>	<p> <input checked="" type="checkbox"/> Age  <input checked="" type="checkbox"/> Race  <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic)  <input checked="" type="checkbox"/> Length of time in the facility  <input checked="" type="checkbox"/> Housing assignment  <input checked="" type="checkbox"/> Gender  <input type="checkbox"/> Other  <input type="checkbox"/> None </p>
<p><b>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</b></p>	<p>Requested rosters identifying such</p>
<p><b>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</b></p>	<p> <input checked="" type="radio"/> Yes  <input type="radio"/> No </p>



<b>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):</b>	No text provided.
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
<b>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</b>	22
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<b>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:</b>	2
<b>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:</b>	1
<b>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:</b>	3

<b>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:</b>	1
<b>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:</b>	1
<b>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:</b>	1
<b>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:</b>	4
<b>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:</b>	4
<b>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:</b>	4

<p><b>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:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>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).</b></p>	<p>Requested rosters and list of inmates from each category</p>
<p><b>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</b></p>	<p>No text provided.</p>
<p><b>Staff, Volunteer, and Contractor Interviews</b></p>	
<p><b>Random Staff Interviews</b></p>	
<p><b>71. Enter the total number of RANDOM STAFF who were interviewed:</b></p>	<p>18</p>

<p><b>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</b></p>	<p><input type="checkbox"/> Length of tenure in the facility</p> <p><input type="checkbox"/> Shift assignment</p> <p><input type="checkbox"/> Work assignment</p> <p><input type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p><b>If "Other," describe:</b></p>	<p>Selected staff of various races that included white, hispanic and african american.</p>
<p><b>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>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):</b></p>	<p>No text provided.</p>
<p><b>Specialized Staff, Volunteers, and Contractor Interviews</b></p>	
<p>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.</p>	
<p><b>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</b></p>	<p>21</p>
<p><b>76. Were you able to interview the Agency Head?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

<b>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>78. Were you able to interview the PREA Coordinator?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>79. Were you able to interview the PREA Compliance Manager?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

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

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

	<input type="checkbox"/> Other
<b>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>a. Enter the total number of VOLUNTEERS who were interviewed:</b>	1
<b>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Mental health/counseling <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other
<b>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>a. Enter the total number of CONTRACTORS who were interviewed:</b>	3
<b>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input checked="" type="checkbox"/> Medical/dental <input checked="" type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
<b>83. Provide any additional comments regarding selecting or interviewing specialized staff.</b>	Interview conducted with mental health staff who is contract staff

## SITE REVIEW AND DOCUMENTATION SAMPLING

### Site Review

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

**84. Did you have access to all areas of the facility?**

Yes

No

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

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

Yes

No

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

Yes

No

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

Yes

No

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

Yes

No



<p><b>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).</b></p>	<p>No text provided.</p>
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**Documentation Sampling**

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

<p><b>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?</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
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<p><b>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</b></p>	<p>No text provided.</p>
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**SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY**

**Sexual Abuse and Sexual Harassment Allegations and Investigations Overview**

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

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

	<b># of sexual abuse allegations</b>	<b># of criminal investigations</b>	<b># of administrative investigations</b>	<b># of allegations that had both criminal and administrative investigations</b>
<b>Inmate-on-inmate sexual abuse</b>	7	0	7	0
<b>Staff-on-inmate sexual abuse</b>	4	1	3	1
<b>Total</b>	11	1	10	1

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

	<b># of sexual harassment allegations</b>	<b># of criminal investigations</b>	<b># of administrative investigations</b>	<b># of allegations that had both criminal and administrative investigations</b>
<b>Inmate-on-inmate sexual harassment</b>	2	0	2	0
<b>Staff-on-inmate sexual harassment</b>	4	0	4	0
<b>Total</b>	6	0	6	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
<b>Inmate-on-inmate sexual abuse</b>	2	0	0	0	0
<b>Staff-on-inmate sexual abuse</b>	0	0	0	1	0
<b>Total</b>	2	0	0	1	0

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual abuse</b>	2	3	2	2
<b>Staff-on-inmate sexual abuse</b>	0	3	0	1
<b>Total</b>	2	6	2	3

### 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
<b>Inmate-on-inmate sexual harassment</b>	0	0	0	0	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual harassment</b>	0	0	2	0
<b>Staff-on-inmate sexual harassment</b>	0	3	1	0
<b>Total</b>	0	3	3	0

**Sexual Abuse and Sexual Harassment Investigation Files Selected for Review**

**Sexual Abuse Investigation Files Selected for Review**

<b>98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:</b>	17
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<p><b>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p><b>Inmate-on-inmate sexual abuse investigation files</b></p>	
<p><b>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>7</p>
<p><b>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p><b>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p><b>Staff-on-inmate sexual abuse investigation files</b></p>	
<p><b>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>4</p>
<p><b>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>

<p><b>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p><b>Sexual Harassment Investigation Files Selected for Review</b></p>	
<p><b>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</b></p>	<p>6</p>
<p><b>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p><b>Inmate-on-inmate sexual harassment investigation files</b></p>	
<p><b>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b></p>	<p>2</p>
<p><b>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p><b>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>

**Staff-on-inmate sexual harassment investigation files**

**111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:** 4

**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.**

One staff on inmate sexual abuse investigation was completed as administrative and criminal investigation only. There were no other completed criminal investigations. The Auditor did conduct a review of two pending inmate on inmate sexual abuse cases that included the completion of forensic medical examinations that are not included in the count of reviewed cases.

**SUPPORT STAFF INFORMATION**

**DOJ-certified PREA Auditors Support Staff**

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

Yes

No

## Non-certified Support Staff

**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



<b>Standards</b>	
<b>Auditor Overall Determination Definitions</b>	
<ul style="list-style-type: none"> <li>• Exceeds Standard (Substantially exceeds requirement of standard)</li>   <li>• Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period)</li>   <li>• Does Not Meet Standard (requires corrective actions)</li> </ul>	
<b>Auditor Discussion Instructions</b>	
<p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>	

<b>115.11</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. Northeast Correctional Complex (NECX) Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.2 PREA Allegations, Investigations, and Sexual Abuse Response Teams (SART)</li> <li>3. NECX 502.06. 2-1 PREA Allegations, Investigations, and Sexual Abuse Response Teams (SART)</li> <li>4. TDOC Index 502.06 PREA Implementation, Education and Compliance</li> <li>5. NECX Organizational Chart</li> <li>6. TDOC Inspector General Organizational Chart</li> <li>7. Interviews with:</li> </ol>

a. TDOC State-wide PREA Coordinator

b. NECX PREA Compliance Manager

115.11(a) The agency has comprehensive written policies that mandates zero tolerance toward all types of sexual abuse and sexual harassment in all TDOC facilities. Index TDOC.502.06 states it is the policy of the TDOC to provide a safe, human, and appropriately secure environment, free from threat of sexual abuse and sexual harassment for all inmates, by maintaining a program of prevention, detection, response, investigation, and tracking of all alleged and substantiated sexual assaults and sexual harassment. The Directive clearly outlines the agency's zero tolerance policy and identifies the agency's approach to the prevention, detection, and response to sexual assault that includes definitions of prohibited behaviors regarding sexual abuse and sexual harassment that are consistent with the PREA standards. The agency policies also include disciplinary sanctions for those that have participated in such prohibited behaviors to include staff, contractors, volunteers, and the inmate population.

In addition to TDOC Index 502.06 PREA Implementation, Education and Compliance, the agency also developed TDOC Index 502.06.2 PREA Allegations, Investigations, and SART Sexual Abuse Response Teams (SART). TDOC Index 502.06.2 outlines the duties and responsibilities of staff designated to serve on an organized and structured team responsible for developing and maintaining a program of prevention, detection, response, investigation, and tracking of sexual assaults and the persons involved. The policy includes definitions pertaining to PREA, and procedures after receiving an allegation of PREA; multiple methods for inmate reporting, responsibilities of First Responders; SART Response; SART Investigations; Sexual Abuse Incident Review; monitoring for retaliation; administrative investigations; criminal investigations; reporting the status of allegations to inmates; disciplinary sanctions for inmates; sanctions for contractor and volunteers; and allegations occurring in other correction settings.

The NECX Index 502.06.2-1 was established for standardized procedures to request, approve and govern the actions, reporting procedures, and authority of NECX regarding PREA investigations and the role of the Sexual Assault Response Team (SART). The NECX SART is a coordinated response team comprised of medical and mental health practitioners, facility investigators, and facility security leadership.

TDOC 502.06 indicates each PREA Site Coordinator and/or PREA Compliance Manager shall ensure unannounced PREA-free walk (inspection) is conducted monthly in accordance with the PREA Inspection Team Worksheet, CR-3821. This inspection shall be conducted to identify and deter sexual abuse and sexual harassment. By the 15th of each month, the Warden/Superintendent/Designee shall submit the facility's previous month's PREA Inspection to the Assistant Commissioner of Prisons. The Assistant Commissioner of Prison/Designee shall compile all the facility reports and forward to each Assistant Commissioner, Deputy Commissioner, Inspector General, Statewide PREA Coordinator, and Director of Decision Support: Research and Planning for review.

Documentation of unannounced PREA-free walk (inspections) was presented for each month during the 12-month review period. The monthly inspections documented areas visited during the PREA-free walk, PREA educational discussions with staff, the review of PREA investigations, applicable incident reviews and findings, completed retaliation monitoring, and documented their review of standards 115.11 through 115.86 throughout the various monthly PREA-free walk inspections.

115.11(b) The agency has designated a TDOC State-wide PREA Coordinator assigned to the Office of the Inspector General, the duties of overseeing the agency's efforts regarding maintaining compliance with the DOJ PREA standards in all its facilities.

The agency's organizational chart shows the Director 2/TDOC State-wide PREA Coordinator reports directly to the TDOC Deputy Inspector General. An interview with the TDOC State-wide PREA Coordinator confirmed he has the time to manage all PREA related responsibilities as PREA oversight is the primary focus of his job position. He coordinates the agency's effort to comply with the PREA standards in multiple ways that begin with providing training to staff on the implementation of the PREA standards in everyday work practices. He ensures all onsite PREA Compliance Managers and PREA Coordinators receive timely updates from the Department of Justice and the PREA Resource Center. He schedules visits at each facility to conduct walkthroughs to assess the facility's overall PREA compliance. If any issues arise that may jeopardize a facility's compliance with the PREA standards, he immediately contacts the facility to discuss any obstacles they are facing that are creating concerns. Procedures are implemented to ensure that the facility complies with the PREA standards.

115.11(c) The Associate Warden of Treatment (T) at each TDOC facility also serves as the facility PREA Coordinator and reports directly to the Warden. The NECX organizational chart identifies the NECX PREA Compliance Manager (PCM) as a position who reports to the NECX to the Associate Warden of Treatment (T)/Facility PREA Coordinator. The NECX PCM indicated although she has other duties, PREA is a major concern and a priority of her duties. She reviews the standards and conducts quarterly and annual reviews while also conducting monthly unannounced walk-throughs with other members of the SART to identify any concerns and take corrections measures to ensure compliance. She maintains an open line of communication with the facility PREA Coordinator while seeking guidance as needed.

Based on the review of agency policies, organization charts, responsibilities of the SART that includes monthly PREA walk-throughs that identifies areas of concerns with the safety of staff and inmate in the prevention of sexual abuse and sexual harassment while applying corrective measures, interviews, and observation during the site visit, NECX meet the mandate of the standard provisions.

<b>115.12</b>	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

Evidence Reviewed (documents, interviews, site review):

1. NECX Completed Pre-audit Questionnaire (PAQ)
2. TDOC Index 502.06 PREA Implementation, Education and Compliance
3. Contracts for Confinement of Inmates with Core Civic
4. Interview with the following:
  - a. Agency Contract Administrator

115.12 (a) (b) TDOC Index 502.06 states employees of privately managed facilities shall receive PREA training as part of the pre-service and in-service training requirements established by the contractor and approved by TDOC. The Director of Contracts Administration shall ensure that all new TDOC contracts or contract renewals include language requiring compliance with the PREA standards. The TDOC has entered into four (4) contracts for the confinement of inmates with a private agency (Core Civic). A copy of an agreement with the Tennessee Department of Corrections and Core Civic was provided for review. The contract outlines PREA Reporting information, definitions, prohibited acts, and other PREA-related requirements. The contract states the contractor must comply with the Prison Rape Elimination Act (PREA) of 2003 (Federal Law 42 USC 1506 et. seq.) with all applicable Federal PREA standards and all State policies as may be revised and standards related to PREA for preventing, detecting, monitoring, investigating, and eradicating any form of sexual abuse within facilities/programs/offices owned, operated, or contracted. In addition, the contract states that the State has the right and authority under the contracts to monitor performance. Such monitoring shall include but not be limited to observing and reporting on the day-to-day operational performance of the contractor regarding compliance with all terms and conditions of the contract. A TDOC Contract Monitor is assigned to each of four (4) contracted facilities whose responsibilities include monitoring and addressing all concerns regarding maintaining compliance with the PREA standard. The Agency Contract Administrator stated the contract is monitored in multiple ways. An annual assessment of the PREA practices at each facility is monitored to ensure they are implementing the PREA standards properly. He also has access to all contract facilities' PREA allegation documentation, which allows him to ensure investigations are conducted promptly. Each of the four (4) contract facilities has completed its annual assessment and has corrected any issues found during the evaluation. All contract facilities must submit their DOJ PREA audit reports to the agency for review and confirmation that it maintains PREA compliance. Additionally, each of the contract facilities are scheduled for PREA audit completion within the TDOC agency's three-year audit cycle and one of the four has been completed during the current year cycle.

The TDOC contract facilities' most recent PREA audits were identified on the TDOC's website as the following: Hardeman County Correctional Facility on August 9, 2023; South Central Correctional Center on December 26, 2021; Whiteville Correctional Facility on June 5, 2023; Trousdale Turner Correctional Center most recent posted PREA audit is noted as November 16, 2023.

	Based on the review of the agency’s website, contracts, PREA audit reports, the agency does meet the standard provision.
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<b>115.13</b>	<b>Supervision and monitoring</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06 PREA Implementation, Education and Compliance</li> <li>3. TDOC Index 506.22 Security Staff Assignments</li> <li>4. NECX Annual Staffing Review</li> <li>5. Master Post Assignment Schedule</li> <li>6. Post Assignment Rosters</li> <li>7. Logbooks Documenting Unannounced Rounds.</li> <li>8. Security Staff Daily Assignment Rosters</li> <li>9. Observation while on-site</li> <li>10. Interviews with: <ol style="list-style-type: none"> <li>a. Warden</li> <li>c. NECX PREA Compliance Manager</li> <li>d. Intermediate or Higher-Level Staff</li> <li>e. TDOC State-wide PREA Coordinator</li> </ol> </li> </ol> <p>115.13(a) TDOC Index 502.06 outlines the requirements of a facility staffing plan that provides for adequate levels of staffing and monitoring to protect inmates against sexual abuse. This review shall be completed on the PREA Annual Staffing Review form CR-3964. The NECX Staffing Plan addresses the eleven components as indicated in this provision that includes the physical layout of the facility including blind-spots or areas where staff or residents may be isolated, composition of the resident population, the prevalence of substantiated or unsubstantiated incidents of sexual abuse, deployment of video monitoring system and other monitoring technologies, resources the facility has available to commit to ensure adherence to the staffing plan, and institution program occurring on a particular shift. The staffing plan was developed for 1892 inmates. Per the PAQ, the average daily number of inmates at</p>

NECX during the review period was 1547. The facility's inmate count on the first day of the site visit was 1377.

Per the NECX Warden, the facility does conduct an annual review and comply with the developed facility staffing plan that considers each element of the standard provision and as outlined in TDOC Index 506.22, and TDOC Index 502.06. Compliance is monitored daily through the review of the staff level via roster assignments, observation during daily tours throughout the facility, and through video monitoring by the Major, Associate Warden, and Warden for proper coverage on all critical post and duties performed by staff. An interview with the NECX Warden indicated he requires the Shift Commander to notify him via email of any circumstances in which compliance with the staffing plan and filling of critical post cannot be accomplished. He stated at no time, has he received such notification of non-compliance as staff reassignments from non-critical post and/or overtime are authorized as needed to ensure compliance. He added video monitoring is a major component of the staffing plan and as such, the facility was previously granted funding for a video monitoring upgrade and an additional 172 cameras that have been added since the last PREA audit.

Throughout the site visit, the Auditor noted the staffing level was adequate and prevalent throughout all areas where inmates are authorized by security and non-security staff. Areas of observation included housing units, program areas, work assignments, medical, education, recreation, warehouse, inmate movement, and food service during all shifts. Various security staff were assigned overtime on each shift to ensure compliance with the staffing plan. Interviews with the inmate population indicated no concerns with insufficient staff coverage to include in housing, programs and/or work assignment areas.

115.13(b) TDOC Index 506.22 states when it becomes necessary for a shift commander to make temporary variations, they shall be posted on the roster in such a fashion as to show the actual assignment of personnel. In these instances, a notation will be made in the appropriate area on page two of the shift roster. Assignment for more than seven days within a 30-day period to a post assignment which has not received prior approval by the Assistant Commissioner of Prisons must be approved in writing, by the Assistant Commissioner of Prison. The policy identifies Critical and Non-Critical posts. A critical post is a security position designated by the Warden/Superintendent that must be staffed regardless of institution circumstances and if left unstaffed, would jeopardize the security of safety of the facility, staff, offenders, or the community. A non-critical post is a security position designated by the Warden/Superintendent that when left unstaffed does not jeopardize the security of the facility, staff, inmates, or the community. A non-critical post will be left unstaffed in lieu of authorizing overtime to staff a critical post. The submission of the current Master Post Assignment Schedule, CR-3914 for 2023-2024 was submitted by the NECX Warden on October 18, 2023, to the Assistant Commissioner of Prisons identifying critical and non-critical posts for review and approval on October 20, 2023,

The facility staffing plan is developed with adequate operational staffing levels in

mind and a daily staff roster is reviewed to ensure adequate staff in accordance with the stated staffing plan. The daily rosters identify positions and the staffing requirements that require shift commanders to reconcile staffing deployment in accordance with the position requirements outlined in the staffing plan. Security staff are assigned the following shifts: 6:00 a.m. – 6:00 p.m.; 8:00 a.m. – 4:00 p.m. and 6:00 p.m. – 6:00 a.m. The Auditor selected a random sample of security daily rosters for each month during the review period. The review confirmed there were no deviations noted from the Master Post Assignment Roster and daily security rosters. The Warden indicated he, the Major, and Associate Warden of Security monitors for compliance of the staffing plan. At the exhaustion of reassigned staff from non-critical post, overtime is authorized to provide coverage on all critical post assignments.

115.13(c) TDOC Index 502.06 states by July 1st of each calendar year, each facility shall assess, determine, and document whether adjustments are needed to the facility staffing plan. The staffing plan review is documented on an agency-wide standardized form. A review of the NECX Staffing Plan confirmed it was developed in accordance with all provisions of the standard.

Per State-wide PREA Coordinator, he is consulted regarding any assessments of, or adjustments to, the staffing plan prior to implementation while the Staffing Plan is reviewed annually. A copy of the most recent NECX Staffing Plan was submitted for review. The Staffing Plan was reviewed by the Associate Warden of Treatment/ Facility PREA Coordinator and Chief of Security on June 29, 2023, acknowledged by the Warden on June 30, 2023, and acknowledged as reviewed by the by the TDOC State-wide PREA Coordinator. The position the Associate Warden of Security was vacated during the facility's annual review. Per the NECX PREA Compliance Manager, although she does not sign the review of the annual staffing plan, she is included in the preview process.

115.13(d) TDOC Index 502.06 indicates that each PREA site coordinator and/or PCM shall ensure that an unannounced PREA-free walk (inspection) is conducted monthly in accordance with the PREA Inspection Team Worksheet, CR-3821. This inspection shall be conducted to identify and deter sexual abuse and sexual harassment. The Security Shift Corporal and above, Unit Managers, and Administrative Duty Officer shall conduct and document unannounced rounds. The unit logbook shall be annotated with Unannounced PREA Inspection/Security Check when signing into the unit. The Auditor selected a random sample of housing unit logbook entries from various housing units, shifts and weekdays throughout the review period. The review confirmed unannounced rounds were documented as conducted at a minimum once during each shift by supervisory staff. Interviews with supervisory staff indicated unannounced rounds are alternated that prevents staff and the inmate population anticipation of their arrival. Staff identified as alerting others of advance arrival of supervisory rounds would receive counseling followed by possible disciplinary actions for the continuation of such.

Based on the review of agency policy, documented staffing plan that includes the standard provision, supervisory unannounced PREA rounds, security daily rosters that supports compliance with the staffing planning, observation of staffing level during

	site visit, and interviews with staff and the inmates NECX does meet all provisions of the standard.
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115.14	Youthful inmates
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 506.14.2 Housing, Programming of Youth Inmates</li> <li>3. Observation during site visit</li> <li>4. NECX Inmate Population Roster</li> <li>5. Interview with the following: <ol style="list-style-type: none"> <li>a. NECX PREA Compliance Manager</li> </ol> </li> </ol> <p>TDOC 506.14.2 indicates for the purpose of the policy only, juvenile offenders are persons between the ages of 16 and 18 who are sentenced and committed to the TDOC by court having adult criminal jurisdiction. Only the following facilities provide housing for juvenile offenders, after classification: (males) Northwest Correctional Complex – Site #2 (NWCX), females Debra K. Johson Rehabilitation Center, and Lois DeBerry Special Needs Facility (DSNF) for males with health or mental health concerns. Non-adjudicated juvenile offenders shall not be accepted into any TDOC facility per TCA 41-4-131. Per review of the PAQ, observation during site visit, NECX inmate roster and interview with the NECX PREA Compliance Manager, the facility houses inmates between the ages of 18 - 81 years old.</p> <p>Based on the review of the PAQ, policy, observation, interviews and analysis, the facility does not house inmates under the age of 18 years old and therefore, has demonstrated compliance with all provisions of this standard.</p>

115.15	Limits to cross-gender viewing and searches
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> </ol>



2. NECX Index 112.08-1 Personal Hygiene Resources for Inmates
3. TDOC Index 506.06 Searches
4. Basic Correctional Officers Training Lesson Plan Personal Searches
5. NECX 506.6-1 Searches
6. Annual Training PREA Lesson Plan
7. Documentation of Search Training
8. Housing Unit Post Orders
8. Observation During Site Visit

9. Interviews with:

- a. Staff
- c. Formal and Informal Inmate Interviews

115.15(a) TDOC Index 502.06 states female correctional officers may frisk search inmates of both genders. Male correctional officers may frisk search only male inmates. Strip searches will only be conducted by staff members of the same gender. Strip/visual body cavity searches based on reasonable suspicion/probable cause require the completion of a CR-2156 by the Warden/Superintendent/designee. The NECX PAQ reports there were zero cross-gender strip or cross-gender visual body cavity searches of inmates during the 12-month review to include medical and non-medical staff. The Auditor reviewed all areas where visual searches are authorized to be conducted and confirmed the identified areas within the intake areas, visiting rooms, and segregation unit, provided privacy to included solid doors and/or doors with small, covered windows during the process. Opposite -gender supervisors are not required to supervise or observe strip searches. Per staff and inmates, all visual searches are conducted by male staff only.

115.15(b) NECX is designated as a male only facility, therefore it does not house female inmates. This provision of the standard is not applicable.

115.15 (c) Per TDOC 502.06 states Female correctional officers may frisk search inmates of both genders. Male correctional officers may only frisk search male inmates. Interviews with staff and inmate population confirmed the male inmate population is frisk searched by both male and female staff members, however all male visual searches are conducted by male staff only. NECX does not house female inmates. This provision of the standard is not applicable.

115.15(d) NECX 112.08-1, outlines provisions that provides inmates with bathroom facilities that states inmates will be able to shower, perform bodily function, and change clothing without nonmedical staff of the opposite gender viewing them, except in circumstances that require immediate action. The housing units were observed to have doors and shower curtains in place that allow inmates to use both

the bathroom and shower facilities without being observed by staff of the opposite gender.

A review of the video monitoring equipment and placement of cameras within housing units confirmed staff did not have observation of inmates during showering, change of clothing and/or performing bodily functions. There were no inconsistencies in this practice identified.

Observation during the site visit, confirmed inmates in assigned within the medical department to include those with direct observation for mental health, medical and suicide prevention were monitored by male staff.

Interviews with the inmate population did not reveal any concerns and/or circumstances in which inmates experienced opposite gender staff viewing during the inmate's use of the toilet, showering, or changing clothes.

A review of the NECX Housing Unit Officer Post Assignment includes "When staff of the opposite gender enter an inmate housing/cell area their presence shall be announced to that area. The announcement will be stated as the following "Female on the floor or area." Additionally, all staff are required to document their signature on the TDOC Employee PREA Training Acknowledgement Form that notes the PREA training received includes "Opposite Gender must announce when enter a Pod."

Signage is noted on each housing unit entry door that states "All opposite gender must announce their presence upon entering." This practice was observed during the tour. Staff acknowledge receipt of PREA training that includes Opposite Gender must announce when entering a pod and indicated the proper announcement is made. Interviews with random and targeted group inmates indicated the opposite gender announcement is made upon by the entering female and/or by the assigned male officer upon the female entering.

115.15(e) TDOC Index 506.06 states "No inmate will be searched solely for the purpose of determining the inmate's gender. NECX Index 506.06-1 states all search of transgender and transsexual inmates will be in accordance with TDOC Policy 506.06

The Annual PREA Lesson Plan section "Searching Transgender/Transexual Offenders" includes "No inmate will be searched solely for the purpose of determining the inmate's gender."

TDOC Index 506.06 Searches regarding strip searches of transgender and intersex inmate's states, "A strip search of a transgender or intersex inmate may not be conducted for the sole purpose of determining the inmate's genital status." If an inmate's status is unknown, it may be determined by conversation with the inmate, a review of available medical records, or as part of a broader medical examination conducted in private by a licensed medical professional. Policy states if there is uncertainty as to a person's gender, the responsible officer shall use best judgment as to how the person presents, as male or female, and shall arrange for an officer of the same gender to conduct the search. If the subject of the search, then objects based on gender, an officer of the person's apparently preferred gender shall conduct the search. All staff interviewed reported the facility prohibits staff from searching or

physically examining transgender or intersex inmates for the sole purpose of determining genital status.

The facility reported seven (7) transgenders and four (4) were interviewed during the site visit. Zero inmates were identified as intersex. The four (4) transgenders had elected to be searched by female staff. Neither transgender reported being searched solely for the purpose of identifying their genital status.

115.15(f) TDOC Index 506.06 Searches identifies: Security staff shall be trained on how to conduct cross-gender frisk searches and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. The Tennessee Correctional Academy Basic Correctional Officer Training Program Curriculum BCOT-10-7 Personal Searches is a two-hour course that outlines step-by-step instructions for the following: Searching Transgender and Transexual Individuals; Frisk Search, Strip Search; Visual Body Cavity Search; Gender Dysphoria and Personal Searches; Cross-gender Searches. The definitions of Gender Dysphoria and Intersex Conditions are included in the lesson plan and outlines skills practice/evaluation. The training topics, including definitions, were found to be consistent with the definitions contained in the standards. Search training is conducted during new hire orientation training and additional search training is conducted during security staff training at the academy. The training includes frisk search/pat searches, strip searches, searching residents identified as transgender, intersex, transsexual, body cavity searches, male and inmates/residents. All class participants are required to participate in a skill practice section while paired with a staff member of the same sex. Additionally, the Annual PREA training course includes training for Searching Transgender/Transexual Offenders that is mandated for all employees. NECX houses male inmates only. Female staff are authorized to conduct frisk searches of the male inmates but are prohibited from conducting visual searches and/or body cavity searches of the male inmates and/or touching of the genital area of the male inmates. Strip searches are performed exclusively by staff of the same gender. However, policy allows inmates identified as transgender and/or intersex to identify the gender of staff they feel comfortable completing the pat-search and/or visual/strip search. The Pre-Audit Questionnaire noted that 0% of staff have received the appropriate training but was later identified correctly as 100%. Random staff interviews indicate they received training regarding cross gender, transgender, and intersex search procedures. Documentation of staff completion of Search Training was provided for the selection of 79 staff through roster and/or confirmation via the Learning Management System (LMS) as requested by the Auditor.

Based on the review of agency and facility policies, Search Lesson Plan, Annual PREA training lesson plan, confirmation of search training by new hires and during annual refresher training, specific duties outlined in housing unit post orders, observation during site visit, interviews with staff and inmates, the facility has demonstrated compliance with all the provisions of this standard.

<p><b>115.16</b></p>	<p><b>Inmates with disabilities and inmates who are limited English proficient</b></p>
<p><b>Auditor Overall Determination:</b> Meets Standard</p>	
<p><b>Auditor Discussion</b></p>	
<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06 PREA Implementation, Education, and Compliance</li> <li>3. NECX Plan for Providing Inmates with Limited English Proficiency Access to Programs and Activities</li> <li>4. TDOC Index 103.10.1 Title VI – Limited English Proficiency (LEP)</li> <li>5. Translation Services Contract</li> <li>6. Documentation of Requested and Completion Interpretation Service</li> <li>7. Observation During Site Visit</li> <li>8. Interviews with: <ol style="list-style-type: none"> <li>a. Agency Head Designee</li> <li>b. Random Staff</li> <li>c. Inmate Population</li> </ol> </li> </ol> <p>115.16 (a) (b) TDOC Index 502.06 states Each facility shall take appropriate steps to ensure that inmates with disabilities (including inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) have an equal opportunity to participate in or benefit from all aspects for the facility’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Facility staff shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skill, or who are blind or have low vision. Agency policy also requires that, except under limited circumstances where a delay in obtaining an effective interpreter could compromise the inmate’s safety, the performance of the first responder duties, or the investigation of an inmate’s allegation; inmate interpreters, inmate readers, or other types of inmate assistance are not used to communicate information required under this directive for other inmates.</p> <p>Per an interview with the Agency Head Designee, the agency has established procedures to provide inmates with disabilities and inmates who are limited English proficient equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect, and responds to sexual abuse and sexual</p>	

harassment. While, these programs can always be strengthened, TDOC strives to ensure that all offenders regardless of disability or ability to speak English are afforded equal opportunities to all aspects of the agency's PREA program. Contracts exist for medical, mental health and translation services to provide services to these offenders. Offenders are identified at orientation with a particular need and are given information related to issues they might experience related to PREA. For someone who has an identified physical or mental health issues, medical and mental health monitor and meet with those individual regularly to ensure they have equal access to programs especially PREA. Modifications are made to ensure that the offender understands (i.e. sign language for deaf inmates. For the LEP offenders, there are two state contractual agreements for service in addition to in-house staff translators available to translate in various languages.

The TDOC Plan for Providing Inmates with Limited English Proficiency Access to Programs and Activities as required by the Civil Rights of 1964 for the NECX was presented for review. The Plan detail procedures available to determine and meet the needs of inmates upon arrival to ensure Limited Proficient inmates are provided appropriate services and programs. Procedures are outlined for each of the following: Intake assessment; language assistance measures during orientation; classification assignment and hearing; medical /mental health services; disciplinary procedures; grievance procedures; education /programs; housing assignments; court appearances; parole hearings; program available at other TDOC facilities; inmate interpreters; PREA education; staff training; staff contacts; notice of available languages services; monitoring and updating.

The NECX Plan for Providing Inmates with Limited English Proficiency Access to Programs and Activities documents the facility's obligation to provide appropriate services to inmate identified as Limited English Proficiency. The Plan documents NECX staff with bilingual abilities in Spanish who are assigned to provide translation services in the Spanish language. The facility's plan also includes a list of all inmates identified as LEP to include those whom first language is Spanish and those requiring sign language. The list is updated quarterly. Per the review of the facility's plan and interviews with staff and the inmate population, there were zero inmates identified with a first language other the Spanish.

NECX provides translation services to the inmate population through usage of the University of Tennessee Language Center If an interpreter is needed, staff personnel are provided from one of the approved outside agencies including the University of Tennessee Language Center for language translation and the Bridges for the Deaf and Hard of Hearing (BridgesEast) for those inmates identified as deaf. A contact note is entered when this service is provided. Documentation of sign language translation services was submitted for review. Identified NECX staff and are also assigned to provide translation services in the Spanish language.

TDOC Index 103.10.1 policy indicates that an assessment during the intake process will determine if the inmate requires language or literacy assistance. The review of "Plan for Providing Inmates with Limited English Proficiency Access to Programs and Activities (As required by the Civil Rights Act of 64)" outlines the specifics for ensuring

methods are identified for communicating with inmates who are LEP. The plan identifies the duties of staff within the various facility departments to include but not limited to medical/mental health services, classification assignment and hearing; disciplinary procedures, grievance procedures, education /programs. Housing assignment, court appearances, parole hearings program availability. The plan lists outside agencies that are available to provides a variety of services for inmates with a range of disabilities to include LEP. A list of bilingual staff is identified within the plan and updated as needed. The inmate will be offered a Language Identification Guide to make the determination. An interpreter will be provided through utilization of institution staff, volunteers, or contract interpreters to determine the extent of their proficiency. The staff member will document the provision of an interpreter by name on E-TOMIS Contact Notes (LCDG). At orientation inmates are provided a copy of the Inmate Orientation Handbook that covers the agency's zero-tolerance policy. Additionally, inmates also participate in a video that specifically covers PREA topics to include the agency's zero-tolerance policy; how to report sexual abuse and sexual harassment; agency policy regarding sexual abuse and sexual harassment; and inmate rights regarding sexual abuse, sexual harassment, and retaliation. The video presentation has audio and is also available in Spanish. Sign language services are available through Statewide Visual Communication Services. An Interagency agreement between the State of Tennessee Department of Corrections and University of Tennessee - Tennessee Language Center effective July 1, 2023, through June 30, 2025, to provide Live and Documented Translation Services.

Per the NECX Inmate Rules and Regulations Handbook, Inmates identified as Limited English Proficiency shall be provided meaningful access to services and programs. A staff member of translator shall provide individual instructions to ensure language does not prevent staff from effectively communicating.

The TDOC has developed a contract to provide interpreter services for deaf and hard of hearing offenders designated for each of the agency's facilities. The facility provides Video-Remote Interpreting -Interpreter Services through Lion Bridge for inmates identified as deaf. This service was utilized by the Auditor during an interview with a deaf inmate. Additionally, a video-remote interpreting phone is located in the housing units where inmates identified as deaf are housed.

115.16 (c) TDOC Index 502.06 states, "Inmate interpreters, inmate readers, or other types of inmate assistance are not used to communicate information required under this directive to other inmates, except under limited circumstances where a delay in obtaining an effective non-inmate interpreter would compromise the inmate's safety, the performance of first responder duties, or the investigation of an inmate's allegation. Contact Note LCDG shall be posted identifying the name of the assistor and their organization. The Auditor presented a variety of scenarios to 18 random staff during the interview process. Staff indicated they would not utilize an inmate to provide translation services for another when reporting an allegation of sexual abuse and/or sexual harassment. Staff were aware of staff members assigned to provide translation services in the Spanish language as needed as they are also identified in the NECX LEP Plan.

	<p>The Auditor conducted interviews with inmates identified with the following disabilities: one (1) Limited English Proficient; one (1) cognitive disability; one (1) deaf; one (1) hard of hearing; three (3) blind/low vision; two (2) physical disability. Interviews with each of the identified inmates indicated they were given PREA education in a manner they could understand without difficulty. Each also confirmed their knowledge and understanding of methods to report sexual abuse and sexual harassment.</p> <p>An interview was conducted with an LEP inmate whom first language was Spanish with the assistance of a NECX Correctional Officer who provided translation services. The staff member stated he is often called upon to provide translation services for the inmate population for various communication and programming needs. The LEP inmate indicated he was given written PREA educational material in the Spanish language and he is aware of the PREA posters and bulletins posted throughout the facility in his language that he can read and understand and confirmed a staff member provide translation services as needed. He also indicated he is enrolled in an education program to learn the English language.</p> <p>An interview was conducted with an inmate identified as deaf through usage of the Video-Remote Interpreting service (Lion Bridge). He acknowledged he was provided PREA education upon arrival, and he has no difficulty reading, writing and understanding in written format. He also acknowledged he has access to the video relay service for deaf inmates within his assigned housing unit. He added, a red sign is posted on the Officer Station, when a female staff is assigned and or enter the housing unit for those inmates who are deaf and/or hard of hearing awareness.</p> <p>Based on the review of policies, LEP lesson plans, identified facility staff available for translation services, resources for inmates with various disabilities through the established contract agreements, observation during the site visit, and interviews with staff and inmates, the facility has demonstrated compliance with all the provisions of this standard.</p>
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<b>115.17</b>	<b>Hiring and promotion decisions</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 301.04 Job Requirements</li> <li>3. TDOC PREA Self Declaration Forms</li> <li>4. Hiring and Promotional Records</li> </ol>

5. Criminal History Background Records Check Documentation

6. Interview with:

a. NECX Human Resource Administrator

115.17(a) (b) (c) (d) TDOC Index 301.04 states All applicants for employment or promotions, all contract employees, and all volunteers who may have any contact with offenders, shall sign PREA Self-Declaration for Sexual Abuse /Sexual Harassment, CR-3819 to ensure compliance with PREA Standard #115.17 which states the agency shall not hire or promote anyone who may have contact with inmates and shall not enlist the services of any contractor, who may have contact with inmates. who: a) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution. b) has been convicted of engaging or attempt to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse, or;) has been civilly or administratively, adjudicated to have engaged in activity described in (b) above. d) The department shall consider any incident of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. The Department shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. A review of the policy confirms compliance of the provision.

Per the Human Resource Administrator, applicants are required to complete the PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 with their application which is required before the submission for a background check. In addition to new hires, all current TDOC staff are required to complete the PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 annually in conjunction with the completion of their annual background check which is completed during their birth month. Contract staff are required to submit a new PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 form in July during their scheduled annual background check. Volunteers are also required to submit PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819. Additionally, prior to staff's consideration for a promotion and entry for the interview, each are required to complete an updated PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819. The submission of false information will result in disqualification and/or termination for all staff.

Per the Human Resource Administrator, staff utilize the NCIC program for all background investigations for all TDOC new hires prior to the offering of employment and annually during each staff member's birthday month. The initial background checks for contract workers are provided to the NECX by their contracting agency. The contractors' background checks are completed 'annually in July by NECX human resource staff.

Contract workers' background investigations are initiated by their employment agency and conducted through the Tennessee Bureau of Investigation. Upon the completion of the background checks, the investigative findings to include in the



summary page are forwarded to the facility's Human Resource Department. All staff to include contractors, are required to complete a PREA Self-Declaration form. This information is forwarded to the Human Resource department by the contracting agency prior to approval for employment at the facility. Annual background checks are completed on all contract staff annually in July by facility human resource staff.

Per the PAQ 122 staff were hired to include TDOC agency staff and contractors, who may have contact with inmates who have had criminal background record checks during the 12-month review period. Additionally, the PAQ noted 20 contract services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates. However, this number was later identified as two (2) contracts with Centurion and Aramark.

The PAQ identified 111 volunteers but was later identified as 105 who were approved to provide services for the inmate population. Volunteer background checks are completed by the Central Office and returned to the facility.

Per the NECX Human Resource Administrator, three (3) operators within the human resource department conduct all background checks for new hires and staff annual background checks. The Auditor requested a random selection of the following for confirmation of the standard provisions for the completion of background checks: ten (10) new hires; ten (10) contract workers; and ten (10) volunteers. The Auditor's review of staff personnel files confirmed a criminal background check was performed for each of the requested applicants.

115.17 (e) TDOC Index 301.04 indicates current employees will be required to submit to an annual background check. The check is to be completed by the end of the month in which the employee's birth date occurs. The Human Resources Office for each TDOC work location will be responsible for compiling a monthly list of employees who have birthdays within each month. TDOC utilized the NCIC to conduct all background investigations for new hires and annually for current staff. An annual background check is completed on all TDOC staff during their birth month. Staff are required to acknowledge that an annual background check is required to be completed annually during their birth month, notification to the affected staff members is not required. However, staff are required to submit an annual PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 to ensure compliance with the PREA Standard during their birth month and in the event, they are seeking a promotion. The Auditor randomly selected five (5) staff for completion of annual background checks for confirmation of their annual background checks in accordance with the agency policy and the standard provision. Documentation supporting a criminal background investigation was completed through the NCIC for each within the 12-month review period although their employment to include those who have exceeded one year of service with the agency.

115.17(f) TDOC Index 301.04 indicates all applicants for employment or promotions, all contract employees, and all volunteers who may have any contact with offenders shall sign PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 to ensure compliance with PREA Standard 115.17. Assigned employees who have

substantiated PREA complaints against them for sexual harassment or abuse must acknowledge such each year on their CR-3819 and whenever they apply for advancement. The PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 requires staff to respond to the following questions: a) Has engage in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution? b) 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? c) Have you ever been civilly or administratively adjudicated to have engaged in sexual activity, sexual abuse, or sexual harassment? Per the Human Resource Administrator, the PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819, is a section of the application process for new hires and an annual requirement of all TDOC staff, contact and volunteers in addition to a current employee who apply for a promotion. If an individual provides incorrect information in response to the PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819, they would automatically be disqualified for consideration of employment. All staff seeking a promotion are required complete a new PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 prior to entering for the interview. She further stated, the agency imposes upon employees a continuing affirmative duty to disclose any such misconduct. Staff are required to immediately report any arrest within 24 hours and/or prior to their next shift directly to the Warden.

The Auditor confirmed the submission of completed PREA Self Declaration for Sexual Abuse /Sexual Harassment, CR-3819, through the review of the following personnel files for each of the staff selected for background checks that included ten (10) new hires; ten (10) contractor workers; ten (10) volunteers; five (5) staff annual background checks; and five (5) staff selected for promotions who also completed their annual background. The review confirmed the agency policy requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates. Each of the reviewed files contained the submission of the completed PREA Self Declaration for Sexual Abuse /Sexual Harassment, CR-3819.

115.17 (g) TDOC Index 301.04 indicates that a material omission regarding conduct described in this directive or providing materially false information may result in disqualification from further consideration for employment and shall be grounds for termination of employment. Additionally, the Self-Declaration Application Form states "I hereby certify that to the best of my knowledge and belief, all the information I provide in this form is true, complete, and made in good faith. I understand that false and fraudulent information provided herein may disqualify me from further consideration for employment and, if employed, may result in termination of employment if discovered later." This information was also identified as provided to all applicants within the pre-employment packet.

115.17 (h) TDOC Index 301.04 states Consistent with Federal, State, and local law, the TDOC will make it that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute. An interview with Human Resource Manager confirmed

	<p>the agency does provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from a potential employee. The questionnaire is forwarded to the facility’s OIC Investigator for completion. Upon completion, the form is returned to the inquiring facility by the human resource staff. A staff member seeking employment must give prior approval via signature for the release of information to include prior discipline. The request for information is always documented. Employees identified in a substantiated sexual harassment and/or abuse investigation would be place on a “no rehire” list. Human Resource staff forwards a referral to all applicants’ previous employers requesting a work history and document when the requested information was forwarded.</p> <p>Based on the review various departmental staff background checks to include TDOC staff, contract staff and volunteers to include annual background investigations, submission of completed PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819, that is a section of the application process and required to be submitted annually by staff and when applying for promotions, NECX does meet all provisions of the standard.</p>
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<b>115.18</b>	<b>Upgrades to facilities and technologies</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index #108.01 Facility Construction, Renovation, and Physical Plant Maintenance</li> <li>3. Interviews: <ol style="list-style-type: none"> <li>a. NECX Warden</li> <li>b. TDOC Agency Head Designee</li> </ol> </li> </ol> <p>115.18(a) (b) TDOC Index 108.01 states, “When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the Department shall consider the effect of the design, acquisition, expansion, or modification upon the Department’s ability to protect inmates from sexual abuse. when installing or updating a video monitoring system, electronic surveillance system, or tother monitoring technology, the Designer shall consider the PREA impact of how such technology may enhance the TDOC’s ability to protect inmates and staff from sexual abuse.”</p>

	<p>An interview with the Agency Head/Designee indicated all modifications require request and approval. Any request submitted must also account for any additional cameras or mirrors that will be necessary to add to the area to ensure sexual safety. The agency utilizes video recording systems to monitor and record activities within the facilities. This tool is utilized to cover blind spots, to verify allegations, and to hold individuals accountable for their actions.</p> <p>The Warden explained when planning substantial modifications to facilities the agency considers PREA requirements in relation to the prevention of blind spots within the building and operational plans. There has not been any substantial expansion of the existing facility since the last PREA audit.</p> <p>He added, the facility was previously granted funding for a major video monitoring upgrade that included the addition of 172 cameras since the last PREA audit. Camera placement did include the consideration to enhance the safety of inmates from sexual abuse.</p> <p>Based on the review of policy, observation, interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.</p>
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<b>115.21</b>	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. National Protocol for Sexual Assault Medical Forensic Examinations Adults/Adolescents</li> <li>3. TDOC Office of Investigation and Compliance Evidence Operational Protocol: 08 alleged Sexual Abuse</li> <li>4. TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy and Community Support for PREA Victims</li> <li>5. TDOC Index 502.06.2 PREA Allegations, Investigation and Sexual Abuse Response Team (SART)</li> <li>6. Prior MOU with the Sexual Assault Crisis Center</li> <li>7. Appointment of NECX Victim Advocate</li> <li>8. Interviews with: <ol style="list-style-type: none"> <li>a. NECX Facility Victim Advocate</li> </ol> </li> </ol>

- b. The Sexual Assault Crisis Center Representative
- c. Office of Investigations and Conduct Investigators
- d. Branch House Family Justice Center Representation (SANE)
- e. NECX Warden
- f. OIC Special Agent and NECX Facility Investigator
- g. TDOC State-wide PREA Coordinator
- h. NECX PREA Coordinator

115.21 (a) TDOC Index 502.06.2 state it is the policy of the TDOC to investigate all PREA sexual abuse and sexual harassment allegations in a timely, efficient, and confidential manner in accordance with federal guidelines (Title 28 CFR Part 115). The investigations shall be conducted within 72 hours of receiving the allegation. SART team members/investigators who have received special training in conducting sexual abuse investigations in confinement settings shall investigate all allegations of sexual abuse and sexual harassment promptly, thoroughly, and objectively, including third-party and anonymous reports. The Agency does employ investigators who have received special training in conducting sexual abuse investigations in confinement settings. The Office of Investigations and Conduct Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence. An OIC Institution Investigator is assigned to conduct administrative investigation at all TDOC facilities. The OIC Special Agent is authorized to conduct administrative and criminal investigations. Interviews with the Warden, OIC Special Agent and Institution Investigator indicated both administrative and criminal investigations are conducted by TDOC OIC Investigators.

Operational Protocol #008 dated July 27, 2019, identifies the Notification and Response Procedure stating "It shall be the protocol of the Investigations Unit to appropriately respond to incidents and/or allegations of sexual abuse which occur on TDOC institutional property. When notification is made in a timely manner, Agents will respond as the situation mandates to the site of examination for the purpose of evidence collection and preservation. The Department's response to sexual assault follows the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," dated April 2013, or the most current version. (1) Upon notification of alleged sexual abuse within any TDOC institution, the institution shall immediately have the alleged victim examined by qualified medical personnel. After the initial examination and collection of clothing for potential evidence, the alleged victim will be transported to the nearest Emergency Room. The ER physician or SANE will perform an examination utilizing a sexual assault evidence kit provided by TBI. This kit will be retained by the ER staff until received by an IU Agent. (2) The responding Agent shall process the alleged crime scene if feasible, receive the evidence from the attending medical staff, conduct an interview with the alleged victim and suspect at the earliest convenience, and determine the appropriate action

to best facilitate the investigation. (3) Upon evaluation of all information and evidence obtained, IU staff shall deliver evidence obtained from the investigation to the TBI Crime Laboratory for evaluation as possible evidence.

115.21(b) TDOC has developed an appropriate protocol that coordinates with the most recent edition of the "A National Protocol for Sexual Assault Medical Forensic Examination Adults/Adolescents Second Edition U.S. Department of Justices' Office on Violence Against Women" publication. The TDOC Operation Protocol was revised on July 27, 2019. The Notification and Response Procedure identifies the following: (1) It shall be the protocol of the Investigations Unit to appropriately respond to incidents and/or allegations of sexual abuse which occur on TDOC institutional property. When notification is made in a timely manner, Agents will respond as the situation mandates to the site of examination for the purpose of evidence collection and preservation. The Department's response to sexual assault follows the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," dated April 2013, or the most current version. (2) Upon notification of alleged sexual abuse within any TDOC institution, the institution shall immediately have the alleged victim examined by qualified medical personnel. After the initial examination and collection of clothing for potential evidence, the alleged victim will be transported to the nearest Emergency Room. The ER physician or SANE will perform an examination utilizing a sexual assault evidence kit provided by TBI. This kit will be retained by the ER staff until received by an IU Agent. (3) The responding Agent shall process the alleged crime scene if feasible, receive the evidence from the attending medical staff, conduct an interview with the alleged victim and suspect at the earliest convenience, and determine the appropriate action to best facilitate the investigation. (4) Upon evaluation of all information and evidence obtained, IU staff shall deliver evidence obtained from the investigation to the Tennessee Bureau of Investigations (TBI) Crime Laboratory for evaluation as possible evidence. (5) The Agent will present all evidence in the case to the appropriate District Attorney for review, adoption, and prosecution of any suspects.

115.21 (c) TDOC 502.06.3 indicate upon receiving a report of an alleged sexual abuse within the 72-hour time frame members SART that includes medical staff and the OIC institution Investigator shall determine if SAFE/SANE response is indicated at an outside medical facility. If the services of an outside medical facility are determined to be warranted, the victim shall be transported by security to an outside medical facility with SAFE/SANE personnel for a forensic examination at no cost to the victim. Upon receiving a report to an alleged sexual abuse outside of the 72-hour time frame, SART members shall determine if SAFE/SANE response is indicated at an outside medical facility with SAFE/SANE personnel. The alleged victim shall be transported only to medical facilities trained and equipped with SANE personnel. If SAFE/SANE personnel cannot be made available, the forensic examination can be performed by other qualified medical practitioners. The medical member of the SART shall document the efforts to provide SANE services. Interviews with the NECX medical

staff and mental health staff confirmed the Johnson City Medical Center in Johnson City, TN., was previously utilized for the completion of one (1) forensic examination during the review period. However, a change occurred during the review period that all forensic examinations would be completed at the Branch House Family Justice Center in Blountville, TN. One inmate victim of sexual abuse was transported to the Branch House Family Justice Center prior to the on-site audit phase for a forensic examination. Documentation of the completed forensic examinations was included for review in the pending investigative casefiles.

An interview with the Branch House Family Justice Center Representation (SANE) a SANE and victim advocate is scheduled on duty 24/7 daily and are immediately available to provide applicable services. Additionally, the training received by all SANE includes sufficient training to serve as a victim advocate. An interview with NECX staff who transported the inmate to the Branch House Family Justice Center indicated two (2) SANE were present during the forensic examination and provided emotional support to the inmate during the examination. However, a victim advocate was not requested by the inmate.

115.21(d) TDOC established a Memorandum of Understanding (MOU) with The Sexual Assault Center of East Tennessee on March 11, 2015. The MOU included an agreement of obligations between the NECX and the Sexual Assault Center. However, due to organizational restructuring of the Sexual Assault Center, the Sexual Assault Center of East Tennessee is no longer available in the area nor to NECX. Therefore, it was concluded that the former established MOU is no longer valid as changes were identified to have occurred just over a year before the audit. However, the interview with a representative with the Sexual Assault Crisis Center of Nashville, confirmed the available external reporting options and victim advocacy services remain available via phone at \*9555 and through written correspondence. Per the NECX PREA Compliance Manager and NECX PREA Coordinator, the facility has received notifications from the Sexual Assault Crisis Center in past and recent years as the notifications were made to the NECX PREA Coordinator and/or the NECX PREA Compliance Manager. However, none was reported during the review period. However, they identified one (1) call was received from the Sexual Assault Crisis Center during the post audit phase. The call was identified as an inmate reporting concerns regarding his clothing issue and not PREA related. Per the NECX PREA Coordinator and the TDOC State-wide PREA Coordinator, efforts are being made to establish another MOU for NECX.

A revised memorandum was posted throughout the Complex with additional third-party reporting options during the post audit phase to extend available external reporting and advocacy services. The memorandum was created by the NECX PREA Coordinator and identified as "PREA Reporting." The memorandum was addressed to all staff and inmates while noting "Volunteers, Contract, State, and Inmate population." The Reporting Memorandum includes the following information: PREA Hotline Telephone Number \*9222; Tip Line for reporting Wrong Drive \*9111; Sexual Abuse Crisis Line \*9555 (free call are not monitored). \* Calls are free, confidential, and unmonitored for the Sexual Assault Crisis Line \*9555. Victims of Sexual Assault or their Families and Friends may contact the following public help lines: RAINN (800) 656-HOPE (4673); JUST Detention International (213) 384-1400 located at 3250

Wilshire Blvd. Suite 1630 Los Angeles, CA 90010 (213) 384- 1400. All Calls are free and confidential and not monitored.

The memorandum includes methods of verbal and written communication with the Sexual Assault Crisis Center located at 101 French Landing, Nashville, TN 37228 and/ or via institutional phone at \*9555 or (615-259-7473. Calls to the Sexual Assault Crisis Center are free, confidential, and are not monitored. Advocacy services are also available through the Sexual Assault Crisis Center.

A memorandum drafted by NECX Associate Warden of Treatment/NECX PREA Coordinator addressed to the NECX Inmate Population identifies the facility's PREA Victim Advocate and his official position. The notification identifies the designated facility PREA Victim advocate and his official position as the Health Services Administrator. The memorandum also notes the facility victim advocate be reached through an inmate information request form directly to the facility victim advocate, or through another staff member while listing the designated victim advocate's name and phone contact information. The memorandum is posted on bright yellow paper on the inmate notification bulletin boards and staff bulletins boards that easily accessible to all inmates and staff throughout the Complex. The NECX Health Services Administrator is the former NECX Behavioral Health Administrative who has a master's degree in psychology and has completed the "Meeting the Needs of Prison Rape Victims" that meets the qualifications to serve as a victim advocate.

115.21(e) TDOC Index 502.06.3 indicates a PREA victim advocate shall be made available to the alleged victim, when requested, to accompany and support the victim through the forensic medical examination and the investigation process. An interview with the Branch House Family Justice Center Representation a SANE and victim advocate is scheduled on duty 24/7 daily and are immediately available to provide applicable services. Additionally, the training received by all SANE includes sufficient training to serve as a victim advocate. A designated staff member (Behavioral Health Administrator) has been appointed to serve as the facility's victim advocate. In addition to his license, certification, extension professional education in psychology, he has completed the review of the "Meeting the Needs of Prison Rape Victims, A technical Assistance Guide for Sexual Assault Counselors and Advocates." The educational material is designed for rape crisis counselors and advocates. Information identifying the facility's victim advocate is posted on all inmate bulletin boards and on departmental bulletin boards accessible to the staff and the inmate population.

The TDOC Office of Investigations and Conduct is responsible for conducting all administrative and criminal investigations of sexual abuse.

An interview with the Facility Victim Advocate/Health Services Administrator and former Behavioral Health Administrator, indicated he serve in the role of a victim advocate upon an inmate's request and/or upon being identified as need while offering emotional support, therapy sessions, and assistance as the facility's victim advocate.

The Auditor conducted interviews with four (4) inmates who reported and/or identified in reported sexual abuse investigations that did not include sexual penetration and



one (1) inmate who reported sexual abuse via penetration after the review period and prior to the site audit. Each acknowledged their awareness of victim advocates services through observation on PREA posters and on the bulletin boards that are offered to include by phone and the Facility Victim Advocate. However, the four (4) inmates who reported sexual abuse that did not include sexual penetration stated they did not require and/or request victim advocate services. An interview with the inmate who reported sexual abuse that included sexual penetration, acknowledged several meetings and therapy sessions with the facility victim advocate prior to transport for the forensic examination, upon return and with continuous sessions since reporting the occurrence for therapy sessions. He acknowledged the services were provided without a request being initiated by him.

115.21 (f) (g) The TDOC Office of Investigations and Conduct is responsible for conducting all administrative and criminal investigations of sexual abuse. Therefore provisions (f) and (g) are not applicable.

115.21. (h) The Auditor confirmed through the review of the Sexual Assault Center (SACET) website that it offers free of charge advocate services to individuals affected by sexual violence. The Victim Advocates at the Sexual Assault Center are available to support, empower, and represent the rights of survivors of sexual assault. Advocate services are available, in English and Spanish, however, the services are currently only and/or through written correspondence. The Center’s crisis hotline is answered 24 hours a day as confirmed during interview and testing. In person victim advocate services are available to the inmate population by the designated NECX Victim Advocate whose educational certification includes a master’s degree in psychology. Additionally, he has reviewed of the “Meeting the Needs of Prison Rape Victims, A technical Assistance Guide for Sexual Assault Counselors and Advocates.” Therefore, he meets the requirements to serve as a victim advocate.

Based on the review of policies, prior MOU with appropriate available services, designated facility victim advocate and appropriate training, PREA investigative case files, and interviews with staff, inmate population, NECX Victim Advocate, ad Branch House Family Justice Center representatives to include SANE, the facility has demonstrated compliance with all the provisions of this standard.

<b>115.22</b>	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Evidence Reviewed (documents, interviews, site review):
	1. NECX Completed Pre-Audit Questionnaire (PAQ)
	2. TDOC Index 502.06.2 PREA Allegations, Investigation and SART

3. PREA Allegation Report

4. PREA Investigative Case Files

5. Interviews with:

a. OIC Institution Investigator and Special Agent

b. Agency Head Designee

115.22 (a) (b) TDOC Index 502.06.2 states, "It is the policy of the TDOC to investigate all PREA sexual abuse and sexual harassment allegations in a timely, efficient, and confidential manner. The facility shall coordinate actions taken in response to an incident of alleged sexual abuse or harassment among staff first responders and Sexual Assault Response Team (SART), which includes medical and behavioral health practitioners, institutional investigator, and facility leadership. These investigations shall be conducted within 72 hours of receiving the allegation. Interviews with the OIC Institution Investigator and OIC Special Agent indicated normally the initial investigation begins on the date of the reported allegation.

Pursuant to TDOC Index #502.06.02 and interviews with the Warden, OIC Institution Investigator and OIC Special Agent confirmed all allegations of sexual abuse and/or sexual harassment are investigated by investigators assigned to the OIC of Investigations and Conduct within the Tennessee Department of The OIC Institution Investigators are authorized to conduct administrative investigation only. Upon the determination of the possible criminal acts committed, the OIC Institution Investigator refers the allegation to the OIC Special Agent for completion. The OIC Special Agents has the legal authority to conduct both administrative and all allegations that involve potential criminal behavior for criminal prosecution. All PREA allegations to include those reported by third party, anonymously, verbally, written and/or via a drop note are investigated in the same manner. Substantiated sexual abuse allegations of criminal behavior are referred by the OIC Special Agent to the State Assistant District Attorney for prosecution.

The Agency Head/Designee stated, the agency does ensure an administrative or criminal investigation is completed for all allegations of sexual abuse or sexual harassment. For each allegation, policy mandates that an entry be made in the PREA Allegation System. The allegation system is used to track the steps in the investigation and the results. Policy also mandates that all investigations are completed even if the offender transfers facilities or the staff member abruptly quits. When a PREA allegation is made, an investigation is completed and documented in the PREA Allegation System. Both types of investigations are completed in the same way initially by the Institutional Investigator. After the initial response of separating and securing the victims, securing the scene and collecting evidence, both the victim and aggressor are interviewed. Corroborating evidence is sought, and a determination is made regarding the level of allegation. If the allegation could possibly be a criminal case, the case is referred to the OIC Special Agent for additional review and prosecution if applicable.

	<p>The PAQ identified 23 reported PREA Allegations during the 12-month review period of November 1, 2022, through October 31, 2023. However, the correct number was later identified as 22 PREA allegations. The reported 22 allegations were identified as the following: ten (10) inmates on inmate sexual abuse; five (5) staff on inmate sexual harassment; three (3) inmates on inmate sexual harassment; four (4) staff on inmate sexual harassment. Investigators assigned to the Office of Investigations and Conduct and/or who have completed the specialized investigative training completed all investigations. One (1) inmate on inmate sexual abuse investigation remained pending throughout the post audit. One inmate identified as the aggressor in a substantiated sexual abuse investigation passed prior to the completion of the criminal investigation and criminal indictment. One (1) staff member on inmate sexual abuse allegation was referred for criminal prosecution and the staff member was sentenced to two (2) years probation.</p> <p>The Auditor reviewed the TDOC website at <a href="http://www.TennesseeDepartmentofCorrections.com">www.TennesseeDepartmentofCorrections.com</a>. TDOC included a section regarding investigation of sexual assault and sexual misconducts. The department is dedicated to producing quality investigations of alleged sexual abuse incidents. All investigators receive specialized training specific to sexual assault in correctional institutions. The TDOC Law Enforcement Unit, in consultant with the department legal office, aggressively refer substantiated cases of sexual assault by offenders or employees to the local district attorney's office for criminal prosecution.</p> <p>115.22 (c) (d) (e) TDOC is responsible for conducting all sexual abuse and sexual harassment investigations. Therefore, these provisions are not applicable.</p> <p>Based on the review of policies, investigative case files, PREA Allegation Log, interviews, TDOC website, and analysis, the facility has demonstrated compliance with all the provisions of this standard.</p>
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<b>115.31</b>	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 110.05 In-Service Training</li> <li>3. TDOC Index 502.06 PREA Implementation, Education, and Compliance</li> <li>4. Tennessee Correctional Academy Program Curriculum/ PREA Inmate Sexual Abuse/ Assault</li> <li>5. Employee PREA Training Acknowledgement Forms</li> </ol>

6. Annual PREA Training Lesson Plan

7. PREA Training Attendance Rosters

8. Observation During Site Visit

9. Interviews with:

a. Random and Specialized Staff

115.31(a) TDOC Index 502.06 states, "The Tennessee Correction Academy (TCA) will be responsible for the development and distribution of the course lesson plans annually. All lesson plans or materials utilized for pre-service and in-service training on inmate sexual abuse and sexual harassment shall be approved by TDOC State-wide PREA Coordinator and TDOC General Counsel. The TDOC Correction Academy Program Curriculum Lesson Title PREA Inmate Sexual Abuse/Assault a 2-hour Pre-Service and/ In-Service annual training course is used for training and covers 10 topics specified in this provision. New hires include agency staff, and contractors receive PREA training during New Hire Orientation during the first week of employment at the facility prior to contact with the resident population. Staff also attend and receive additional comprehensive PREA training while attending the Tullahoma Correctional Academy (TCA).

Pursuant with TDOC Index 110.05, "Mandatory in-service training that is required for all TDOC employees' (as driven by departmental policies) shall include, but not limited to to Prison Rape Elimination Act (PREA) (2 hour)." In-service annual PREA training is conducted during the classroom sessions and on-line by all staff at the facility. Although agency staff, contract staff and volunteers can access the PREA training at the facility, while at home or any available computer, security staff are required to complete the PREA training course during the classroom sessions. A passing score is required. The completion of the PREA training is monitored by the Training Specialist. Anyone who has not completed training or may have been unable to attend for various reasons (i.e. injury, illness, schedule conflict) and would be required to make up any missed training by the required deadline.

Interviews with 18 random in addition to specialized staff indicated PREA training is required to be completed during new hire orientation and annually during in-service in addition to their awareness of the PREA posters and bulletins throughout the Complex. Each indicated the topics of training within the standard provision are included in the agency's PREA lesson plan.

115.31(b) TDOC Index 502.06 states, "Such training shall be tailored to the gender of the inmates at the employee's facility. The employee shall receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa." Training is designed for officers to be able to function in both female and male facilities. NECX houses male residents only; however, staff may transfer to any facility in the system.

115.31(c) The Department shall provide each employee with refresher training

annually to ensure that all employees know the Department’s current sexual abuse and sexual harassment policies and procedures. All staff are required to complete PREA training annually during in-service training in classroom sessions and on-line at the facility. Although agency staff, contract staff and volunteers can access the PREA training at the facility, while at home or any available computer, the training is required to be completed during the classroom session. A passing score is required. Anyone who has not completed training or may have been unable to attend for various reasons (i.e. injury, illness, schedule conflict) and would be required to make up any missed training by the required deadline.

The Auditor also observed continuous PREA education posted throughout the facility on bulletin boards and walls accessible to staff and inmates. All staff are issued and carry PREA education refresher cards titled “PREA Action Steps for Allegations” that include the immediate responsibilities of a first responder. Security staff indicated security supervisory staff often discuss PREA educational material during shift briefings. Documentation of shift briefing training was presented.

115.31(d) TDOC Index 502.06 states, “The TCA Department and facilities shall document, through employee signature or electronic verification, that employees understand the training they have received using Employee PREA Training Acknowledgement, CR-3965. Confirmation of staff’s signatures noting “I acknowledge that I have received training on the PREA and understand the training” on the TDOC Employee PREA Training Acknowledgement Form. Five hundred eighty-seven staff were identified as employed at the facility during the review period. Confirmation of PREA training was provided for an excess of 100 TDOC employees through signatures on the Employee PREA Training Acknowledgement CR-3965 forms in addition to training course attendance rosters for new hire and refresher PREA training. Staff acknowledged their receipt of the training in addition to their understanding of the training. The completion of the training is monitored and maintained in the employee’s training file in addition to electronically stored in the Collaboration Training database by the Training Specialist.

Based on the review of policies, training lesson plans, training records, interviews and analysis, the facility has demonstrated compliance of this standard. The facility provides refresher PREA training for employees annually rather than the standard provision requirement of every two years. Additionally, PREA education is located on bulletin boards and walls and throughout the institution visual to all. All staff are issued PREA refresher cards that are required to be in their possession as continuous refresher training. Therefore, the facility meets the standard requirement.

<b>115.32</b>	<b>Volunteer and contractor training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

Evidence Reviewed (documents, interviews, site review):

1. NECX Completed Pre-Audit Questionnaire (PAQ)
2. Tennessee Correctional Academy Program Curriculum/ PREA Inmate Sexual Abuse/ Assault
3. TDOC Index 110.01 Pre-Service (Basic) Training and Employee Orientation
4. TDOC Index 502.06 PREA Implementation, Education, and Compliance
5. TDOC Index 115.01 Standards for Volunteers and Coordination of Community Involvement
6. TDOC Website
8. Volunteer Orientation
9. Contractor and Volunteer PREA Training Records and Rosters
10. PREA Cards
11. Observation During Site Visit/ PREA Posters
12. Interviews with:
  - a. Religious Services Volunteer
  - b. Various Contract staff
  - c. NECX Religious Service Chaplain

115.32 (a) (b) (c) Pursuant to TDOC #502.06 Each facility shall ensure that all volunteers and contractors who have contact with inmate shall have been trained on their responsibilities under TDOC's sexual abuse and sexual harassment prevention, detection and response policies and procedures. Volunteers shall receive their PREA Training in accordance with Policy #115.01. Training acknowledgement for volunteers and contractors shall be documented through signature, on CR-3965, noting that they understand the training received.

TDOC Index 110.01 states that part-time employees, volunteers, contract staff and other transferring employees NEO; part-time employee, volunteer, contract staff and employee who are permanent transferring from one location to another shall receive a minimum of 20 hours of work site orientation appropriate to their assignment. The TCA Curriculum for PREA will be used.

TDOC Index 502.06 states that employees of privately managed facilities shall receive PREA training as part of the pre-service and in-service training requirements established by the contractor and approved by TDOC. The Director of Contracts Administration shall ensure that all new TDOC contracts or contract renewals include language requiring compliance with the PREA standards.

Pursuant to TDOC Index 115.01, Orientation and training for volunteers is mandatory. To be considered for a position, any prospective volunteer must complete an online Volunteer Services Application at <https://apps.tn.gov.vser-app/institution>. TDOC volunteers were required to complete PREA training on-line (one and two) prior to approval for entry in addition to other mandatory courses. An applicant's request to serve as a volunteer background check is not initiated until all required training to include PREA has been completed. Upon approval and authorization to enter the facility, additional comprehensive PREA training during orientation. Refresher PREA training is presented by the Religious Services Chaplain. Confirmation of completed training is maintained by the Religious Services Chaplain.

Contract employees attend the Non-Academy Pre-service Orientation training for new employees and annual in-service training with TDOC staff on Day 1 CORE Training. Per the contract staff, they complete the on-line PREA course (test) from their office area. The facility's Training Specialist is responsible for monitoring and maintaining the training records.

Although the vendors scheduled or extensive projects do not have direct contact with the inmate population, they also are required to complete the PREA training and acknowledge receipt of the training via signature on the Employee PREA Training Acknowledgement, CR-396.

The Auditor also observed continuous PREA education posted throughout the facility on bulletin boards and walls accessible to staff and inmates. All contractors and volunteers are issued and carry PREA education refresher cards titled "PREA Action Steps for Allegations" that include the immediate responsibilities of a first responder.

The facility reported 478 contractors and volunteers; however, the correct number was later identified as 77 contract employees that includes medical, mental health and food service staff and 111 volunteers. The Auditor conducted interviews with three (3) contract staff that included medical, mental health and food service in addition to one (1) religious service volunteer. Each confirmed their awareness of the agency's zero tolerance for sexual abuse and sexual harassment, how to report it, and their responsibility upon becoming aware of occurrences.

The Auditor randomly selected 15 contractors and 15 randomly selected volunteers for confirmation of PREA training. The acknowledgement of volunteers and contract employees' completion of PREA training is documented through their signature on their Employee PREA Training Acknowledgement, CR-3965 and attendance rosters notating they have received and understand the training. Mental health and medical staff are also required to complete specialized PREA training which is identified in standard 115.35.

Based on the review of agency policies, PREA training lesson plans, documentation of PREA training records, interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.

**115.33 Inmate education**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Evidence Reviewed (documents, interviews, site review):

1. NECX Completed Pre-Audit Questionnaire (PAQ)
2. TDOC Index 502.06 PREA Implementation, Education, and Compliance
3. PREA Informational Postings (English and Spanish)
4. NECX Rules and Regulations Handbook (English and Spanish)
5. Contracts for Translation Services
6. Inmate TDOC Orientation Acknowledgement Forms
7. PREA Video
8. Use of Video-Remote Interpreting -Interpreter Services
9. Staff Translation Service
10. Observation During Site Visit
11. Interviews with:
  - a. NECX Intake Counselor
  - b. Inmate Population

115.33(a) (b) (c) (d) TDOC Index 502.06 states that all inmates entering the TDOC system shall receive verbal and written information concerning sexual abuse within 24 hours of intake at the diagnostic centers. Each facility shall take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

TDOC Index 502.06 states, Each facility shall take appropriate steps to ensure that inmates with disabilities (including inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) have an equal opportunity to participate in or benefit from all aspects for the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Facility staff shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skill, or who are blind or have low vision. Facility staff shall take responsible steps to ensure meaningful access to all aspects of TDOC's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to interpret effectively, accurately, and



impartially, both receptively and expressively, using any necessary specialized vocabulary.

Inmates identified as LEP to include deaf are identified during Classification. Inmates are directed to an "I Speak" identification poster that allows them to identify their language disabilities, including inmates who have intellectual disabilities, limited reading skill, or who are blind or have low vision. Specialized procedures are then followed to ensure effective communication occurs with every inmate regardless of disability. If an interpreter is needed, staff personnel are provided from one of the approved outside agencies including the University of Tennessee Language Center for language translation and the Bridges for the Deaf and Hard of Hearing (BridgesEast) for those inmates identified as deaf. A contact note will be entered when this service is provided. Identified NECX staff (Correctional Officer and Maintenance Staff) and are also assigned to provide translation services in the Spanish language.

Per the PAQ 1133 inmates were admitted to the facility for 72 hours or more and 916 were admitted for 30 days or longer during the review period. This number includes those inmates designated, those held for temporary hold pending transfer to other TDOC facilities. An interview conducted with Intake Staff indicated all inmates are issued a NECX Inmate Rules and Regulations Handbook and observe the PREA video upon arrival during the intake process. The PREA video titled "PREA: What You Need to Know" is presented by the National PREA Resource Center and is available as PREA Adult Comprehensive ASL, PREA Adult Comprehensive Captioned English, and PREA Adult Comprehensive Captioned Spanish. The PREA video is also shown on a continuous loop on the NECX institutional channel for viewing by the inmate population.

The NECX Inmate Rules and Regulations Handbook pages 8 -9 includes the facility has a zero-tolerance of sexual abuse and sexual harassment and various methods of reporting both internally and externally that include confidential and unmonitored calls. Methods of reporting includes the following: directly to any staff; PREA Hotline telephone \*9222; Tip Line for reporting any wrongdoing at \*9111; Sexual Abuse Crisis Line \*9555; National Sexual Assault Center (800) 656-HOPE (4673); Sexual Assault Center located at 101 French Landing Drive Nashville, TN 37228 (615) 259-9055; Sexual Assault Crisis Center P.O. Box 11523 Knoxville, TN 37939 (865) 522-7273.

The Auditor attended the intake process of four (4) arriving inmates during the site visit and confirmed the procedures were completed. Specifically, the arriving inmates are shown the PREA education video and are issued a facility inmate handbook that includes PREA education.

In addition to designated staff to provide translation services for inmates identified as LEP, the agency has established contracts with the University of Tennessee Language Center, and Bridges for the Deaf and Hard of Hearing that includes Video-Remote Interpreting -Interpreter Services through LION BRIDGE for inmates identified as deaf. This service was utilized by the Auditor during an interview with an inmate identified as deaf through the assistance of the NECX PREA Coordinator. Documentation of continuous interpreting services provided for the inmate identified as deaf is

maintained.

Interviews with inmates identified as LEP, deaf, hard of hearing, physical disabled, and low vision indicated they were able to understand the PREA educational material given to them during orientation through staff discussion, orientation packet, material included in the facility's handbook and posted throughout the facility. A staff translator was utilized to assist an inmate identified as LEP during the interview process. The LEP (Spanish) inmate indicated he was provided written material in his first language Spanish.

The Auditor's selected six (6) inmates for each month during the 12-month review period (72 inmates) for confirmation of the inmate's acknowledgement of receiving PREA education upon their arrival at NECX. The review revealed all selected inmates acknowledged orientation included the PREA video, receipt of the inmate handbook, that included the agency's zero tolerance of sexual abuse and how to report PREA allegations. Documentation of the inmates' receipt of PREA education is securely maintained in each inmate's file maintained by unit management staff.

Agency policy also requires that, except under limited circumstances where a delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of the first responder duties, or the investigation of an inmate's allegation; inmate interpreters, inmate readers, or other types of inmate assistance are not used to communicate information required under this directive for other inmates. Interviews with 18 random staff in addition to specialist staff, all acknowledged they would not utilize another inmate to translate during a PREA related incident/allegation. Staff identified staff assigned who provides translation in the Spanish language and the arrangement of translation services would be provided by the shift commander.

115.33 (e) PREA information was observed to be continuously and readily available to the inmate population throughout the facility. PREA signage containing the Hotline contact information and sexual abuse information was noted as being posted throughout the institution. PREA Signage was observed to be available in English and Spanish to include in large font, on the bulletin boards through memorandums, and within the facility inmate handbook.

The PREA Zero Tolerance for sexual abuse and sexual harassment posters tailored for NECX was observed posted throughout the Complex. The posters includes the following information: the inmate's "Right to Report; How to Report that include to the Sexual Abuse Crisis Line at \*9555 for external reporting; report to a staff member; submit a grievance; report to the PREA Coordinator AWT, PREA Victims Advocate - Health Administrator, NECX PREA Compliance Manager; Tell a family member, friend, legal counselor, or anyone else outside the facility as they can report on the inmate's behalf by calling (615) 253-8178; Submit a report on someone's behalf, or some at the facility can report for you using the ways listed. The posters also include available Victim Support Services as the NECX has partnered with the Sexual Assault Crisis Center to provide survivors of sexual abuse with emotional support and advocacy services. The posters list the contact information that notes calls are confidential and

	<p>not monitored.</p> <p>The Auditor conducted interviews with 43 inmates to include random and targeted inmates who acknowledged receiving PREA education upon their arrival via the facility orientation packet, and staff discussion during the intake process on the day of their arrival during intake and orientation in addition to continuous PREA education posted throughout the Complex in housing units, program areas and work assignments areas. The inmates also confirmed signage on the walls near the inmate telephones that provides toll free telephone numbers to report PREA allegations.</p> <p>Based on the review of policies, observation of the intake process that include inmates were presented with various methods of PREA education, inmates acknowledgement of received PREA training through their signature and interviews, NECX Rules and Regulations Inmate Handbook, observation of the PREA video, and the Auditor’s observation of PREA educational posting throughout the Complex, inmate interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.</p>
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<b>115.34</b>	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 107.01 Office of Investigation and Compliance Unit Authority, Responsibility, Personnel Selection and Training</li> <li>3. Documentation of Specialized Training for Agency Investigators</li> <li>4. Interviews with: <ol style="list-style-type: none"> <li>a. NECX Institution Investigator and OIC Special Agent</li> </ol> </li> </ol> <p>115.34 (a) TDOC 107.01 states: All newly selected OIC Special Agents will attend and successfully complete at a minimum, an accredited law enforcement academy (e.g., Tennessee Correction Academy, and the Tennessee Bureau of Investigation, Memphis Police Academy which is a 16-week training course, Walter State Community College, etc.) An interview was conducted with the OIC Special Agent who acknowledged her completion of investigative training provided by Tennessee Police Academy, Tennessee Bureau of Investigation that exceeds the standard requirement in addition to the online PREA training courses through the National Correction Institution (NIC) titled: “PREA: Investigating Sexual Abuse in a Confinement Setting.” The OIC Special Agents are authorized to conduct both administrative and potential criminal investigations.</p>

The OIC Institution Investigators and Facility Investigators are authorized to conduct administrative investigations only. However, they provide aid to the OIC Special Agents during criminal investigations. Certificates of completion of specialized investigative training was submitted for the two authorized investigators for the following courses: "PREA: Investigating Sexual Abuse in a Confinement Setting;" and PREA: Investigating Sexual Abuse Investigations in a Confinement Setting; Advanced."

115.34 (b) An interview with the OIC Special Agent indicated the specialized training for the OIC Special Agents is mandatory and is through the Tennessee Police Training Academy, Tennessee Bureau of Investigations, and the Tennessee Law Enforcement Academy. The lesson plan is intended for use with Department personnel assigned to investigate an allegation of misconduct that involves a sex related offense. This training gives participants information they will need to conduct criminal and administrative investigations compliant with the Prison Rape Elimination Act standards. Training includes the definition, purpose, history of PREA, definitions, first responder duties, medical examinations, comprehensive investigations, evidence collection, interviewing the victim, suspect and witnesses, Miranda rights, Garrity rights, and handling false accusations. A copy of completion for the OIC Special Agent certificate of completion Special Agent Academy Session VII presented by the Tennessee Bureau of Investigations was presented for review. The OIC Special Agent also identified the completion of "PREA: Investigating Sexual Abuse in a Confinement Setting" and "PREA: Investigating Sexual Abuse in a Confinement Setting: Advance Investigations" training presented through the National Correctional Institution (NIC).

The training courses "PREA: Investigating Sexual Abuse in a Confinement Setting." and "PREA: Investigating Sexual Abuse Investigations in a Confinement Setting; Advanced" presented by the National Institute of Corrections and has been determined to meet the requirement of the standard provision. The training includes but is not limited to evidence collection, interviews, documentation, and evidentiary standards.

115.34 (c) Per the PAQ, two (2) staff are approved to complete PREA allegations. The Auditor reviewed training certificates for the following courses presented to NECX Investigator "PREA: Investigating Sexual Abuse in a Confinement Setting" and "PREA: Investigating Sexual Abuse in a Confinement Setting: Advance Investigations." This training is presented through the National Institute of Corrections and has been determined to meet the requirement of the standard provision. The training includes but is not limited to evidence collection, interviews, documentation, and evidentiary standards.

115.34 (d)The TDOC OIC Special Agents are required to complete a variety of investigative training that enhance their investigative skills to conduct administrative and criminal investigations with outside law enforcement training agencies in addition to NIC courses for the completion of both administrative and criminal investigations. The OIC Institution Investigators are required at a minimum to complete the NIC "PREA: Conducting Sexual Abuse Investigations in a Confinement Setting" training course. Confirmation of completed training was submitted. A copy of completion for

	<p>the OIC Special Agent certificate of completion Special Agent Academy Session VII presented by the Tennessee Bureau of Investigations PREA: Investigating Sexual Abuse Investigations in a Confinement Setting; Advanced.” Therefore, TDOC is responsible for the completion of all PREA investigations. The Auditor’s review of 17 sexual abuse and sexual harassment investigative cases files confirmed the investigations were completed by TDOC Investigators who have received specialized investigative training.</p> <p>Based on the review of training lesson plans, training records, interviews, and analysis, the facility has demonstrated compliance with all the provisions of the standard. Investigative training is completed through the Tennessee Bureau of Investigations, Tennessee Police Academy, and NIC on-line courses.</p>
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<b>115.35 Specialized training: Medical and mental health care</b>	
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06 PREA Implementation, Education and Compliance</li> <li>3. TDOC Index 502.06.3 Medical, Mental Health, Victim Advocacy, and Community Support Services for PREA Victims</li> <li>4. TDOC PREA Training Specialized for Medical and Mental Health Professionals Student Manual</li> <li>5. 2013 Specialized Training PREA Medical, and Mental Care Standards presented by the National PREA Resource Center</li> <li>6. Medical and Mental Health Staff Training Documentation</li> <li>7. Interviews with: <ol style="list-style-type: none"> <li>a. Health Services Administrator and Behavioral Health Administrator</li> </ol> </li> </ol> <p>115.35(a) TDOC Index 502.06 states all full and part-time medical and mental health care practitioners who work regularly in the facility shall be trained in: how to prevent, detect, and respond to acts of sexual abuse or sexual harassment. Medical and mental health staff are contract employees who must complete the agency’s PREA training and medical and mental health specialized training received from designated supervisory instructor contract staff within the department. The policy states all full and part-time medical and mental health care practitioner who work</p>

regularly in the facility shall be trained in : (a) How to detect and assess signs of sexual abuse and sexual harassment; (b) How to preserved physical evidence of sexual abuse; (c) How to respond effectively and professionally to victims of sexual abuse and sexual harassment; (d) How and to who report allegations or suspicions of sexual abuse and sexual harassment; (e ) This training shall be documented on the TDOC training Roster, CR-2245, and copies provided to the facility training specialist.

An interview with both the NECX Behavioral Health Administrator (BHA) and the NECX Health Services Administrator (HSA) confirmed all medical and mental health staff are required to complete PREA Specialized training for Medical and Mental Health upon new hire. The Behavioral Health Administrator and Health Services Administrator present the course to departmental staff. Medical and mental health staff utilized the TDOC PREA Training Specialized for Medical and Mental Health Professionals Student Manual that was prepared by the Mental Health Program, Manager for TDOC and the Statewide Clinical Educational Specialist for CORIZON. Learning objectives include Offender-on-Offender Sexual Abuse; Staff Sexual Misconduct and Harassment; Red Flags of Staff on Offender Sexual Misconduct; Avoiding Inappropriate Staff/Offender Relationships; Sexual Coercion; Common Characteristics of a Victim; Command Characteristics of a Sexual Aggressor; What Do Sexual Assault Injuries “Look” Like; Creating a Safe and Non-Threatening Environment; Aftercare Treatment for PREA-Related Events.

In addition to the TDOC PREA Training Specialized for Medical and Mental Health Professionals Student Manual, medical and mental health staff completed the Instructor’s Curriculum Guide and Lesson Plans December 2013 Specialized Training PREA Medical, and Mental Care Standards presented by the National PREA Resource Center that meets the standard provisions. A copy of the lesson plan was presented for review by the Auditor. This lesson plan covers four (4) modules identified as the following: Module 1- Detecting and Assessing Signs of Sexual Abuse and Sexual Harassment; Module 2 - Reporting; Module 3 - Effective and Professional Responses; Module 4 - The Medical Forensic Examination and Evidence Preservation. The staff are given a posttest at the completion of the specialized PREA training. The PAQ noted 72 medical and mental health care practitioners who work regularly at this facility received the training required by agency policy and 100 % completed the specialized training pursuant to the standard.

115.35 (b) The agency nor the facility conducts forensic medical examinations. All forensic examinations are performed off-site at the Branch House Family Justice Center in Blountville, TN. The facility previously utilized the Johnson City Medical Center.

115.35 (c) (d) The Auditor reviewed training records supporting both medical and mental health care practitioners employed by the agency received Specialized PREA training for medical and mental health in addition to PREA training pursuant to standard 115.32. Interviews with both the Behavioral Health Administrator and Health Services Administrator indicated departmental staff are required to complete standard PREA training with their contracting agency Centurion and their assigned TDOC facility upon hiring and annually. The staff are also required to complete

	<p>standard PREA training upon reporting to the facility during new employee orientation and annually. The PREA training is completed through classroom sessions and on-line in which all medical and mental health staff are required to pass the posttest upon completion. Confirmation of PREA training pursuant to standard 115.32 and the Specialized PREA training for both medical and mental health in accordance with the standard was provided for review.</p> <p>Based on the review of the TDOC PREA Training Specialized for Medical and Mental Health Professionals Student Manual, and the Instructor’s Curriculum Guide and Lesson Plans December 2013 Specialized Training PREA Medical, and Mental Care Standards presented by the National PREA Resource Center confirmation of completion via signature and confirmation of PREA training pursuant to standard 115.32, NECX does meet all provisions of the standard.</p>
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<b>115.41 Screening for risk of victimization and abusiveness</b>	
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.1 PREA Screening, Classification, and Monitoring</li> <li>3. PREA Screening System Application</li> <li>4. Completed Risk Screenings</li> <li>5. Observation of Intake Risk Screening Process</li> <li>6. Interviews with: <ol style="list-style-type: none"> <li>a. Staff Responsible for Risk Screening</li> <li>b. Random and Targeted Inmates</li> <li>c. TDOC State-wide PREA Coordinator</li> </ol> </li> </ol> <p>115.41(a) (b) TDOC Index 502.06.1 establishes policy and assigns responsibilities for screening individuals housed in a correctional facility under the authority of the TDOC to assess the risk of the individual being sexually abused or being sexually abusive towards other inmates. The agency uses the PREA Screening System Application located on the TDOC intranet to assess an inmate’s risk of sexual victimization and risk of sexually abusing other inmates.</p> <p>TDOC Index 502.06.1 establishes policy and assigns responsibilities for screening individuals housed in a correctional facility under the authority of the TDOC to assess</p>

the risk of the individual being sexually abused or being sexually abusive towards other inmates. Per an interview with the Chief Counselor, Counselors are assigned on a weekly basis to conduct the intake risk screening and orientation of arrival inmates. Staff utilize the PREA Screening System Application within the Distributed Application located on the TDOC intranet to assess an inmate's risk of sexual victimization and risk of sexually abusing another inmate. The PAQ identified the arrival of 1133 inmates who stayed 72 hours or more. The Auditor randomly selected six inmates for each of the 12-month review for a total of 72 inmates for confirmation of timely completed risk assessment screenings. The review confirmed 100% of the inmates were documented as screened on the day of the inmate's arrival at NECX.

The Auditor observed the intake process of an incoming bus during the site visit that included risk screening by an Intake Counselor. Staff and the inmate were seated in a separate area from other inmates. A printed copy of the agency's PREA Screening form was utilized by the Intake Counselor during the risk screening while the inmate provided yes or no responses that were documented by the Intake Counselor. Prior to the inmates' arrival, Intake Counselor research the inmate's history to include prior reported sexual abuse and sexual victimization in the Distribution Application that notes the inmate's history to include prior reported sexual victimization and/or the inmates' history as an aggressor.

115.41(c) (d) TDOC Index 502.06.1 requires authorized users to utilize the PREA Screening System Application located on the TDOC intranet. User security access to this system is authorized by the Associate Warden of Treatment. The PREA Screening System Application form is the agency-approved standardized screening instrument. Copies of the Tennessee Inmate Management Information System (E-TOMIS system) PREA Screening form were provided within the PAQ in addition to those of confirmation of the randomly selected 72 inmates' 30-day reassessments. The PREA Screening form assigns a numerical point value to questions regarding risk of victimization and risk of abusiveness categories. The form considers 12 separate inmate risk of victimization factors and risk of abusiveness factors. Each risk factor is assigned a numerical point value based on the information obtained from an interview with the inmate and information from the inmate record. Inmates are asked to provide a response to the questions during the interview/risk screening procedures. The risk screening form is identified as the Offender Information Screening form. The Auditor reviewed the screening instrument and instructions and found that it addresses the criteria required by all standard provisions. Specifically, the screening application considers factors that identify an inmate as being aggressor, victim, both, and/or neither. Questions includes: Whether the inmate is a former victim of institutional (prison or jail) sexual abuse; Whether the inmate has mental, physical, or development disability; The age of the inmate (24 or younger or elderly, 60 or older); The physical build of the inmate (5'5" and/or less than 150 pounds); Whether the inmate has previously been incarcerated; Whether the inmate criminal history is exclusively non-violent; Whether the inmate has prior convictions for sex offenses against an adult or child; Whether the inmate is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming; Whether the inmate has previously experienced sexual victimization; Whether the inmate is detained solely



for civil immigration purpose; Prior acts of sexual abuse; Prior acts of violent offenses; and history of prior institution violence. The PREA Screening System Application factors considered in the risk of abusiveness category include prior acts of sexual abuse, prior convictions for violent offenses and a history of prior institutional violence or sexual abuse. The instrument also considers a history of violent crimes including pending and current charges and a history of domestic violence including pending and current charges.

115.41(e) TDOC Index 502.06.1 notes the PREA Screening application to determine if an inmate is at risk of being abusive shall, at a minimum, consist of prior acts of sexual abuse; prior acts of violent offenses; history of prior institutional violence and prior history of institutional sexual abuse. Based on the inmate's response, of yes or no, the inmate is scored at risk for abusiveness and or as an aggressor. This procedure was confirmed through the review of the 72 inmate risk screening forms, observation during the PREA risk screening of arriving inmates.

115.41(f) TDOC Index 502.06.1 requires unit management staff to reassess each inmate within 30 days of the inmate's arrival at the facility using the PREA Screening Application. The PAQ indicated that NECX admitted 1133 inmates whose stay was 30 days or more. The review of the randomly selected 72 PREA Screening Application forms confirmed a reassessment of the inmates' PREA risk screening was completed for 100% of all inmates within 30 days of the arrival. The Chief Counselor indicated within 30 days of an inmate's arrival; the inmate's assigned Counselor conducts the reassessments. Staff indicated the reassessments are required to be completed between 20 - 25 days after the inmate's arrival. A tracking log is maintained throughout each month and emails are forwarded to the assigned staff of approaching reassessment. Additionally, the tracking log documents the submitted mental health referrals and date the inmates are seen by mental health. Interviews conducted with inmates who arrived at the facility within the 12-month review period in addition to several others, acknowledged they were asked questions related to the PREA Screening Application forms by Counselors within a private area/office to include numerous recalling they were asked twice within 30 days of their arrival. The review of the submitted 72 inmates 30-day reassessment confirmed the 30-day reassessment were completed not later than 30 days after the inmate's arrival.

115.41(g) TDOC Index 502.06.1 requires unit management staff to re-assess an inmate's risk level when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or potential for abusiveness. Once an inmate is identified as a Sexual Aggressor or Sexual Victim at any time during his/her incarceration, the inmate shall be evaluated for appropriate housing and programs. The PREA Screening System Application is utilized to conduct all re-assessments. The Chief Counselor indicated an additional assessment would be conducted upon receiving any additional information that could result in changes of custody level scoring, and/or other classification changes to include upon an inmate being identified as a victim of sexual abuse and/or as an aggressor in a substantiated sexual abuse investigation. He also stated he receives notification of substantiated sexual abuse investigations by the NECX PREA Coordinator and at that time inmates identified as an aggressor and/or victim are

reassessed and identified as such. He stated upon being notified, he then advises the Count Room Officer of the inmates' status change to ensure properly labelling for housing assignment. Three (3) sexual abuse investigations were determined as substantiated during the review period. Documentation review confirmed each victim was rescreened at the conclusion of the investigation and identified as victims. Two inmates identified as aggressors were also rescreened and identified as such. A staff member was identified as an aggressor for (1) one substantiated staff on inmate sexual abuse investigation. Additionally, inmates who departed the facility in an excess of 24 hours, staff conduct a reassessment upon their return. Interviews with the inmate population indicated the majority acknowledged they were asked the questions from the risk assessment at a minimum of twice within weeks of arrival.

115.41(h) TDOC Index 502.06.1 states that inmates will not be disciplined for refusing to answer or disclosing complete information in response to screening questions. Staff responsibility for conducting risk screening indicated inmates are not disciplined for refusing to respond or for not disclosing complete information and there have not been any circumstances in which a inmate refused to cooperate and provide responses. During interviews with the inmate population, none reported being advised of receiving discipline if they refused to answer PREA risk screening questions.

115.41(i) TDOC Index 502.06.1 indicates that screening information is strictly need-to-know. Access to the PREA Screening System Application is controlled through authorized user security access. Unit Management staff will ensure screening information is entered within the PREA Screening System Application, E-TOMIS. Per the State-wide PREA Coordinator, access to the information must be requested through the onsite PREA Coordinator and approved at the facility level. The request is then forwarded to the Statewide PREA Coordinator, vetted and granted based on the job responsibility of the individual for whom the request is submitted. Per the Chief Counselor, and NECX PREA Compliance, only authorized staff with approved credentials have access to conduct the risk screening by accessing the Distribution Application is limited to Counselors, the NECX PREA Coordinator/Associate Warden Treatment and the TDOC State-wide PREA Coordinator.

Based on the review of agency policies, and procedures to include the review of the objective screening instrument utilized to conduct PREA risk screening that includes the provisions within the standard, documentation of timely completed 72 hour and 30 days assessments, Observation of the intake process to include risk screening process, interviews with staff and the inmate population, it is determined NECX does meet all standard provisions.

<b>115.42</b>	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

Evidence Reviewed (documents, interviews, site review):

1. NECX Completed Pre-Audit Questionnaire (PAQ)
2. TDOC Index 502.06.1 PREA Screening, Classification, and Monitoring
3. TDOC Index 113.37 Gender Dysphoria
4. NECX Index 112.08-1 Personal Hygiene Resources for Inmates
5. Interviews with:
  - a. Agency Head Designee
  - b. NECX PREA Compliance Manager
  - c. Chief Counselor

115.42(a) TDOC Index 502.06.1 states, "Decisions concerning individual housing assignments and group activities for inmates who enter TDOC and identifies as a sexual aggressor or prior sexual victims are under the supervision the unit management/Associate Warden/Deputy Superintendent/Designee. Housing, cell assignments, work, education, and program assignments shall be made with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually aggressive. The facility does not house victims and abusers together. Staff who perform screening reported inmates at risk of victimization are separated from inmates at risk of abusiveness based on the risk assessment score. Those who are at risk of victimization cannot be housed with those who are at risk of abusiveness. The Counselors are responsible for notifying the Count Room Officer when an inmate classification status change such as a victim/at risk of a victim and/or those identified as an aggressor/at risk of an aggressor to ensure separation in housing assignment. The inmates are identified as incompatible and the E-TOMIS system will not allow the inmates to assigned to cell assignment together.

The Auditor observed the inmates were identified wearing color coded arm bands that identify their housing assignments that increases inmate accountability and prevent unauthorized entering in unassigned housing units.

Per an interview with the TDOC State-wide PREA Coordinator and NECX PREA Compliance Manager, NECX is not subject to a consent decree, legal settlement or legal judgment requiring dedicated unit, or wing for lesbian, gay, bisexual, transgender, or intersex inmates. TDOC and NECX refer to the TDOC Index 113.37, when determining facilities and housing for inmates identified as such that includes the consideration of the inmate's health and safety in addition to whether the placement would present management or security problems. The placement and programming assignments for inmates identified as transgender and intersex are conducted bi-annually to reassess and review any threats to their safety experienced by the inmate. These inmates are allowed to express any concerns they may have regarding their own view of safety in regard to placement and programming.

115.42(b) TDOC Index 502.06.1 Decisions concerning individual housing assignments and group activities for inmates who enter TDOC and are identified as Sexual Aggressors or Sexual Victims are the responsibility of the unit management team. This information is strictly need-to-know and housing, cell assignments, work, education and program assignments shall be made with a goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually aggressive. If behavioral health intervention is indicated, a referral shall be made in accordance with Policy #113.82, utilizing Institutional Health Services Referral, CR-3431. No inmate will be double celled until the required screening has been completed. Inmates who are deemed sexual aggressors or sexual victims will be appropriately housed until assessed by behavioral health professionals or classification. Once an inmate is identified as a Sexual Aggressor or Sexual Victim at any time during his/her incarceration, the inmate shall be evaluated for appropriate housing and programs. Additionally, inmates who have been identified as aggressors, victims, or at-risk of victimization or aggressive behaviors will be monitored quarterly on the ETOMIS screen LIBC, PREA monitoring for a minimum of one calendar year. At the end of the one (1) calendar year, if there is continued concern or need to continue monitoring, the monitoring will continue as needed. The Auditor requested the bed assignment of inmates identified as victims, at risk of a victim, and those inmates identified as an aggressor and/or at risk of being an aggressor and confirmed the inmates identified as incompatible were not housed together.

115.42(c) TDOC Index 502.06.1 states decisions to assign a transgender or intersex inmate to a facility for male or female inmates and in other housing and programming assignments are made on a case-by-case basis. TDOC Index 113.37 states Facility and housing assignments shall be made on a case-by-case basis and documented on pages 1 and 2 of the PREA Housing and Program Review, CR-4086, considering the patient's health and safety, as well as potential management and security concerns. An inmates' own views regarding safety shall be solicited and considered. Inmates who have completed surgical sexual reassignment therapy prior to incarceration shall be placed in a correctional facility as determined by the Gender Dysphoria, Transgender, Transsexual, Intersex, and Gender Non-Conforming Accommodation Review Committee. For the purposes for facility placement, self-inflicted genital mutilation does not constitute surgical sexual reassignment therapy and does not qualify an inmate for placement in a facility for opposite-gender inmates.

Copies of Monthly Facility Team Meeting Minutes were submitted that documented transgender's accommodation request, bi-annual assessments, and applicable status changes. Each of the seven (7) transgender inmates were assigned to various housing units.

Interviews with four (4) transgender and one (1) inmate who identified himself as gay confirmed neither were placed in designated housing based on their status as such.

115.42(d) (e) TDOC Index 502.06.1 indicates that placement for inmates identified as transgender or intersex shall be considered on a case-by-case basis. These identified inmates shall be reclassified every six months by the assigned counselor to review

any threats to safety experienced by the inmate. The inmate's own views with respect to his safety shall be given serious consideration. Confirmation of the seven (7) transgender's bi-annual assessments were submitted for review. Zero inmates identified as intersex were designated at NECX within the 12-month audit period and/r during the on-site visit.

Per an interview with the Chief Counselor each inmate identified as transgender and/or intersex are reassessed bi-annually, and each are allowed to provide input of their own views regarding their safety. The completion of bi-annual reassessments for each of the seven (7) transgenders were provided for review. Additionally, the assessments noted input from the transgenders regarding any concerns they had about their safety concerns. The facility reported zero intersex inmates during the review period and/or site visit.

115.42(f) TDOC Index 502.06.1 indicates that a transgender or intersex inmate's own view with respect to personal safety shall be seriously considered. Staff interviews indicated they were unaware of an inmate identified as intersex ever being designated at NECX. However, inmates identified as intersex and/or transgender are allowed to shower separately from other inmates. However, per NECX index 112.08 Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates. Per staff interviews, inmates identified as transgender, are given the opportunity to shower separately from the general population inmates during the institution count time. Interviews with four (4) inmates identified as transgender indicated they are allowed to shower separately from other inmates during count time when other inmates are not. There were zero inmates designated at NECX identified as intersex.

115.42(g) TDOC Index 113.37 Gender Dysphoria states, "Lesbian, gay, bisexual, transgender, or intersex inmates may not be placed in dedicated facilities, units, or wings solely based on such identification or status. There were seven (7) inmates identified as transgender and 27 inmates identified as gay or bi-sexual. There were zero inmates who identified themselves as intersex. NECX is a male facility and does not house female inmate (lesbian). Per an interview with the TDOC State-wide PREA Coordinator, every offender that enters the TDOC is initially housed based on the outcome of the initial PREA screening. If an inmate identifies as gay, lesbian, transgender, bisexual, or intersex, there is a panel that reviews the inmate's housing assignment on a case-by-case basis to determine the best discussion in providing each inmate a safe environment. Per the NECX PREA Compliance Manager the facility is not subject to a consent decree, legal settlement, or legal judgment requiring the establishment of a dedicated unit, wing for lesbian, gay, bisexual, transgender, or intersex inmates. A review of the housing assignment of the seven (7) transgenders and various inmates identified as gay confirmed the inmates were not assigned to designated housing but rather throughout the Complex.

Based on the review of policies, Facility Teams Meeting/Gender Accommodations Meeting Minutes, bi-annual assessments, inmates' bed and work assignments, risk screening forms, interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.

<b>115.43</b>	<b>Protective Custody</b>
	<p data-bbox="256 188 959 221"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="256 266 544 300"><b>Auditor Discussion</b></p> <p data-bbox="256 344 1062 378">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1214 736" style="list-style-type: none"> <li data-bbox="256 412 967 445">1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li data-bbox="256 479 1214 512">2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li data-bbox="256 546 520 580">3. Interviews with: <ol data-bbox="256 624 759 736" style="list-style-type: none"> <li data-bbox="256 624 488 658">a. NECX Warden</li> <li data-bbox="256 692 759 725">b. Staff Who Supervise Segregation</li> </ol> </li> </ol> <p data-bbox="256 770 1474 1476">115.43(a) TDOC Index 502.06.2 states any use of restrictive housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements set forth in this policy and coordinated by the unit management team. Protective Services Investigative Routing, CR-3241 shall clearly indicate the basis of concern for the inmate’s safety and the reason why no alternative means of separation can be arranged. Inmates at high risk for sexual victimization may be placed in restrictive housing only after an assessment of all available alternatives has been made, and only until an alternative means of separation from likely alleged abuser(s) can be arranged. The housing assignment shall not ordinarily exceed a period of 30 days. The PAQ noted that zero inmates were held in involuntary segregated housing during the 12-month review period due to being at a high risk of sexual victimization. The Warden indicated the agency does prohibit placing inmates at high risk of sexual victimization or who have alleged sexual abuse in involuntary segregated housing. The victim would not be punished by placement in involuntary segregation as the identified aggressor would be placed there. The victim would be placed in restrictive housing only upon requesting protective custody, and/or upon the determination of pending punitive discipline for facility rule violations.</p> <p data-bbox="256 1509 1474 2047">115.43(b) TDOC Index 502.06.2 states that inmates placed in restrictive housing for this purpose shall have access to programs, education, and work opportunities to the extent possible. If inmate access to programs, privileges, education, or work opportunities is restricted, the facility shall document what opportunities have been limited, the duration of the limitation, and the reasons for such limitations. This shall be documented in LCDG Contact Notes. An interview with staff who supervise inmates in segregated housing indicated inmates at a high risk for sexual victimization are not placed in involuntary segregated housing, as the facility has alternate housing available throughout the Complex. However, all inmates are granted access to programs, education, and various other services such as phone calls, recreation, haircuts, shaves, visitation, legal aid, religious services material, medical and mental health during placement in segregation with limitations due to security concerns within the segregation unit.</p>

	<p>Per the PAQ and interviews with staff who supervise segregation, and the Warden, the facility does not place inmates in segregation in relation to the standard provisions.</p> <p>115.43(c) The PAQ noted the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement during the 12-month review period as zero. Per the Warden, the agency and facility does prohibit placing inmates at high risk of sexual victimization or have alleged sexual abuse in involuntary housing in lieu of other alternative housing. The identified aggressor would be placed in involuntary segregation. The victim would only be placed in involuntary segregation while pending punitive discipline and/or other institutional concerns. However, the victim may request protective custody. Alternative housing is available throughout the Complex to prevent interaction as needed to provide a safe environment. Additionally, inmate movement throughout the Complex is under control movement which limits inmate interaction, and the inmates are directly supervised on job site and in program areas.</p> <p>115.43(d) The Auditor review of the 17 completed sexual abuse and sexual harassment investigative cases identified there were zero instances of inmates at risk of sexual victimization who were held in involuntary segregated housing during the 12-month review period based solely on being a victim of sexual abuse. As stated by the Warden and staff who supervise segregation, the agency and facility does not place inmates identified as per the standard in segregation. The identified aggressor would be placed in involuntary segregation.</p> <p>115.43(e) TDOC Index 502.06.2 states every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population. Interviews with staff assigned to supervise segregation and the OIC Institution Investigator indicated the alleged victim would remain on the compound and the alleged abuser would be placed in segregated housing pending an investigation. There were no inmates placed in involuntary segregation based on being identified at a high risk of victimization.</p> <p>Based on the review of agency policy, PAQ, PREA investigative case files, interviews with Warden and staff who supervise segregation, the facility has demonstrated compliance with all the provisions of this standard.</p>
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<b>115.51</b>	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Evidence Reviewed (documents, interviews, site review):
	1. NECX Completed Pre-Audit Questionnaire (PAQ)

2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART
3. PREA Inmate Sexual Abuse/Assault Lesson Plan
4. Services with Sexual Assault Crisis Center
5. TDOC Index 501.01 Inmate Grievance Procedures
6. PREA Notices with Tip Line Numbers
7. Posted NECX PREA Coordinator's Memorandums to the Inmate Population
8. Observation During Site Visit
9. PREA Posters
10. Completed Calls via Inmate Telephone System
11. NECX Inmate Rules and Regulations Handbook
12. Interviews with:

a. Random staff

b. Inmate Population to Include Formal and Informal

115.51(a) TDOC Index 502.06.2 states the Department shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment. These include but are not limited to: (a) written communication (includes electronic documents); (b) Reporting directly to staff (Verbally); (c) Third-party reporting; or (d) Facility PREA Tip Line. The NECX Inmate Rules and Regulations Handbook includes internal reporting methods as reporting directly to staff, and through utilization of the grievance procedure, and through the NECX PREA Tip Line \*9222 while noting the call is confidential and anonymous.

The PREA Inmate Sexual Abuse/Assault Lesson Plan includes a training section regarding the reporting of PREA allegations. Available options for inmates include Internal reporting includes directly to staff; facility PREA Tip Line (\*9222); Third-party reporting (\*9555); and written communication (i/e/ Inmate Grievance). Staff may report privately to the Central Office PREA Tip Line (615-253-8178).

A memorandum drafted by the NECX PREA Coordinator to the "Inmate Population" is posted on bulletin boards throughout the Complex that is accessible to all staff and inmates. The memorandum is printed on bright yellow paper that has an eye-catching effect on the observers. This memorandum is also visible to visitors upon entering the facility entrances and visiting rooms. The memorandum identifies Internal/External PREA Reporting. The noted methods of reporting include a) Reporting directly to staff member(s); b). PREA Tip lines \*9222 and \*9555 in which both are identified as confidential calls that are not recorded.

The Auditor observed the available toll-free calls \*9222 internal and \*9555 external



method of reporting posted on the walls near the inmate telephones in all housing units throughout the Complex in large font visuals to staff and the inmate population. PREA Posters were observed posted throughout the Complex in all inmate housing units, inmate and staff work areas, education building/classrooms, medical, food service, religious services, warehouse, front lobby, mental health, intake, visitation, hallways, and etc. The posters note the inmates Right to Report; How to Report; and Victim Support Services.

Inmates' interviews confirmed they were aware of various reporting options available. They indicated signage on walls for calling the PREA Hotline \*9222 for internal reporting as their most common response and in addition to reporting to staff.

TDOC index 501.01 states an inmate may submit a grievance alleging sexual abuse at any time. Grievance boxes are located in designated monitored areas throughout the Complex. Only authorized staff have access to secure mailboxes for collection. An interview conducted with the Grievance Sergeant indicated the grievances boxes are checked Monday - Friday and grievances identifying PREA allegations are logged and forwarded to the NECX PREA Coordinator and OIC Facility Investigator for an investigation. The review of the PREA investigative case files indicated one (1) inmate submitted a PREA allegation through the submission of a grievance.

The Auditor also observed mailboxes the placement of internal and external mail from the inmate population. Per an interview with staff assigned to the NECX mailroom, staff collects all mail Monday - Friday except for Federal holidays to include anonymously submitted letters. Internal mail is forwarded to the department in which the letter is addressed too. Outgoing mail is prepared for processing by the United States Post Office. The facility provides inmates with sheets of writing paper noted as "Two-way Message" to communicate in writing with staff. Inmates may personally give the note to staff, place it under the staff's office door, and/or place it in one of the available mailboxes.

Formal and informal interviews with the inmate population confirmed their availability to purchase writing instruments to include note pads, ink pens, pencils and postal stamps from the inmate commissary that allows them to communicate in writing both internally and externally with others.

The Auditor utilized the inmates' housing unit telephone system to confirm their accessibility to the toll-free hotline number \*9222 as an internal method to report PREA allegations. The Auditor identified herself and left a message for the OIC Facility Investigator to contact the NECX Associate Warden Treatment/NECX PREA Coordinator who was touring with the Auditor. The OIC Facility Investigator returned the Auditor's call within 10 minutes of the request.

Formal and informal interviews with the inmate population confirmed all were aware of the reporting options available while stating the internal and external PREA Hotline numbers are free. They indicated the signage on walls for calling the PREA Hotline as their most common response. Inmates were also aware of the grievance process to report.

115.51(b) TDOC Index 502.06.2 The Department shall provide at least one way for inmates to report abuse or harassment to an outside governmental entity that is not affiliated with the agency or that is operationally independent from agency leadership. The TDOC previously had a established Memorandum of Understanding with the Sexual Assault Center of East Tennessee to that was signed on by the Sexual Assault Center Vice President on March 11, 2015 and the TDOC Commissioner on April 17, 2015; however due to Sexual Assault Crisis Center organizational restructuring, the Sexual Assault Center of East Tennessee no longer provide services in East Tennessee to include NECX. The Sexual Assault Crisis Center agencies were restructured for assignments to cover specific counties throughout Tennessee. Therefore, it was concluded that the former established MOU is no longer valid. However, per an interview with a representative with the Sexual Assault Crisis Center of Nashville, he confirmed, the available external reporting options and victim advocacy services remain available.

Interviews with the NECX PREA Coordinator and NECX PREA Compliance Manager, the facility has received notification from the Sexual Assault Crisis Center of inmate's calls in an excess of a year and a half. However, the calls were not frequent nor during the review period. This statement was confirmed during the Auditor's review of the 17 completed investigative PREA casefiles. However, the NECX PREA Coordinator and NECX PREA Compliance Manager indicated they received notification from the Sexual Assault Crisis Center during the post audit phase that was not PREA related but was due to an inmate's concern regarding his clothing issue.

The NECX Inmate Rules and Regulations Handbook includes the following information as external reporting avenues: Sexual Assault enter 101 French Landing Drive Nashville, TN 37228 (615-259-9055; Sexual Assault Crisis Center P. O. Box 11523 Knoxville, TN 37939 (865) 522-7273; Sexual Abuse Crisis Line (\*9555). Inmates may share the reporting information with family and friends for third party reporting.

A revised memorandum was posted throughout the Complex with additional third-party reporting options during the post audit phase to extend available external reporting and advocacy services. The memorandum was created by the NECX PREA Coordinator and identified as "PREA Reporting." The memorandum was addressed to all staff and inmates while noting "Volunteers, Contract, State, and Inmate population." The Reporting Memorandum includes the following information: PREA Hotline Telephone Number \*9222; Tip Line for reporting Wrong Drive \*9111; Sexual Abuse Crisis Line \*9555 (free call are not monitored). \* Calls are free, confidential, and unmonitored for the Sexual Assault Crisis Line \*9555. Victims of Sexual Assault or their Families and Friends may contact the following public help lines: RAINN (800) 656-HOPE (4673); JUST Detention International (213) 384-1400 located at 3250 Wilshire Blvd. Suite 1630 Los Angeles, CA 90010 (213) 384- 1400. All Calls are free and confidential and not monitored.

The PREA ZERO TOLERANCE for sexual abuse and sexual harassment posters tailored for NECX was observed posted throughout the Complex. The posters include the inmate's "Right to Report; How to Report that include to the Sexual Abuse Crisis Line at \*9555 for external reporting; report to a staff member; submit a grievance; report

to the PREA Coordinator AWT, PREA Victims Advocate - Health Administrator, NECX PREA Compliance Manager; Tell a family member, friend, legal counselor, or anyone else outside the facility as they can report on the inmate's behalf by calling (615) 253-8178; Submit a report on someone's behalf, or someone at the facility can report for you using the ways listed. The posters also include available Victim Support Services as the NECX has partnered with the Sexual Assault Crisis Center to provide survivors of sexual abuse with emotional support and advocacy services. The posters list the contact information that notes calls are confidential and not monitored.

A memorandum drafted by the NECX Associate Warden of Treatment to "Inmate Population" was observed posted on bulletin boards throughout the Complex that is accessible to all staff, volunteers and the inmate population. The memorandum is printed on bright yellow paper that has an eye-catching effect on the observer. This memorandum is also visible to visitors upon entering the facility entrances and visiting rooms.

The Sexual Assault Crisis Center can be reached directly by the inmate and staff within the facility by dialing \*9555 which is a confidential call and will not be recorded. The \*9555 outside resource phone number is posted near the inmate telephones in all housing units.

The Auditor utilized the inmate telephone system to confirm the inmates' accessibility to report to Sexual Assault Crisis Center by dialing \*9555. An immediate transmission of the availability for inmates to make a report was confirmed. NECX does not house inmates detained solely for civil immigration purposes.

The Auditor observed the PREA Audit Notice previously forwarded to the facility was posted throughout the facility. The notice was identified as posted on January 4, 2024, well in excess of the six-week requirement period. The Auditor received three (3) letters from the inmate population requesting an interview and each was interviewed during the random inmate selection.

115.51 (c) TDOC Index 502.06.2 indicates all staff are required to report immediately to their supervisor 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 TDOC, retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Additionally, the policy states staff shall accept reports made verbally, in writing, anonymously, and from third parties. All allegations shall be documented within 24 hours of becoming known to facility staff in the PREA Allegation System (PAS). Facilities shall call the TDOC Central Communication Center within 24 hours to report the allegations.

Interviews conducted with 18 random staff acknowledged their commitment to accept all reports of sexual abuse and/or sexual harassment regardless of the method received to include verbally, in writing, anonymously and/or via a third party. Staff also acknowledged they would document the information received as soon as possible and always prior to departing from their assigned shift.

	<p>All staff are issued and carry a PREA Action Steps for Allegations Card that includes first responder steps and reporting methods to be taken upon becoming knowledgeable of sexual abuse and/or sexual harassment incidents. This information serves as an available reference guide to staff.</p> <p>The Auditor’s review of 17 completed PREA investigative cases files confirmed inmates utilized various methods of reporting that included: reporting directly to staff; submission of anonymous notes to staff; internal PREA Hotline *9222; and the grievance process.</p> <p>The Auditor conducted 43 formal and 10 informal inmate interviews. All inmates were able to identify the two (2) PREA Hotline numbers as *9222 for internal reporting and *9555 for external reporting that was painted on the housing unit walls in large font, posted on the bulletin boards and on posters and visible to all. The inmates were aware they could report sexual abuse or sexual harassment either verbally, in writing, anonymously or via third parties.</p> <p>115.51(d) TDOC Index 502.06.2 indicates that staff may privately report sexual abuse and sexual harassment of inmates to the Central Office PREA Tip Line (615-253-8178). The PREA Inmate Sexual Abuse/Assault Lesson Plan includes a training section regarding the reporting of PREA allegations that includes staff may report privately to the Central Office PREA Tip Line (615-253-8178). Interviews with random staff indicated they were knowledgeable in how to privately report sexual abuse or sexual harassment. Most staff cited the PREA Hotline to include the Central Office and/or reporting via a private conversation with their supervisor, higher ranking staff and/or the OIC Institution Investigator as their primary methods of making a private report of sexual abuse or sexual harassment.</p> <p>Based on the review of agency policy, Sexual Assault Crisis Center for external reporting, testing of available internal and external reporting methods accessible to the inmate population, resources available to the inmates, TDOC website, investigative case files, observation during the site visit, interviews and analysis, the facility has demonstrated compliance with all the provisions of the standard.</p>
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<b>115.52</b>	<b>Exhaustion of administrative remedies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 501.01 Inmate Grievance Procedures</li> <li>3. PREA Investigative Case Files</li> </ol>

4. TDOC Agency Website
5. Observation During Site Visit
6. Interviews with:

- a. TDOC State-wide PREA Coordinator
- b. Inmate Population
- c. NECX Facility Investigator

115.52(a) (b) (c) TDOC Index 501.01 identifies grievance as a written complaint concerning the substance or application of a written or unwritten policy of practice, any single behavior or action toward an inmate by staff or other inmates or any condition or incident within the Department or institution which personally affects the inmate complainant and outlines procedures of the grievance process. The TDOC shall ensure that every inmate has the right to utilize the grievance procedures without fear of reprisal. All grievances shall be considered in a fair and impartial manner and resolved at the lowest possible level in the grievance procedures. An inmate may submit a grievance alleging sexual abuse at any time. Applicable time limits shall apply to any portion of a grievance that does not allege an incident of sexual abuse. Inmate shall not be required to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint and such grievance shall not be referred to a staff member who is the subject of the complaint.

Per interviews with the NECX Facility Investigator, and NECX Grievance Sergeant, all grievances alleging PREA allegations will be immediately forwarded to the Associate Warden of Treatment/Facility PREA Coordinator and NECX Facility Investigator for completion of an immediate investigation. All correspondence with the inmate regarding the PREA allegation will be conducted with the OIC Institution Investigator. Per the NECX Facility Investigator, the allegation is required to be logged in the PREA Allegation System (PAS) within 24 hours of receiving the allegation. The inmate would be notified of the investigative findings by the Facility Investigators.

115.52(d) TDOC Index 501.01 states a final decision on the merits of any portion of a grievance alleging sexual abuse shall be issued by the Associate Warden of Treatment within 90 days of the initial filing of the grievance. Computation of the 90-day limit shall not include time used by inmates in preparing the grievance. The inmate shall be notified by the Associate Warden of Treatment if an extension is needed. At any level of the grievance if the inmate does not receive a response within the time allotted to reply, including any extension, the inmate may consider the absence of a response to be a denial at that level.

Per the PAQ, and review of the 17 completed investigative case files, one (1) inmate submitted a grievance that included circumstances of inmate-on-inmate sexual abuse that had previously occurred in an excess of a year. The sexual abuse allegation was

reported and documented as initiated on October 19, 2023. An investigative finding of unsubstantiated was concluded on October 27, 2023.

115.52(e) TDOC Index 501.01 states third parties shall be permitted to assist inmates in filing grievances related to allegations of sexual abuse and shall also be permitted to file such grievances on behalf of the inmate. If a third-party file such a grievance on behalf of an inmate, that inmate shall agree to have the grievance filed and document such on the Inmate Grievance form. The inmate shall be required to personally pursue any subsequent steps in the grievance process. The inmate may decline to have the grievance processed on his/her behalf and the decision shall be documented on the original Inmate Grievance.

Third party reporting methods were observed included in the inmates' handbook, posted in all housing units, visiting rooms, facility entrance areas, program, and work areas in large font in both English and Spanish while visible to staff, inmates, and visitors. Additionally, the Auditor's Notice of the PREA Audit Site Visit was observed posted in all the aforementioned areas and confirmed as posted on January 4, 2024, through the submission of photographs to the Auditor. Interviews with staff and the inmate population confirmed the Auditor's Notice were posted several weeks prior to the Auditor's arrival.

The NECX Inmate Rules & Regulations Handbook lists various third-party reporting resources available to the inmates and staff. Resources includes the Sexual Assault Center located 101 French Landing Drive, Nashville, TN 37228 @ (615) 259-9055; Sexual Assault Crisis Center P.O. Box 11523 Knoxville, TN 37939 @ (865) 522-7273; National Sexual Assault Hotline @ (800) 656-HOPE (4673); Sexual Abuse Crisis Line (\*9555); Tip Line for reporting any wrongdoing telephone number (\*9111).

The Auditor conducted a testing for confirmation of third-party reporting noted on the agency's website as the TIP line for third-party reporting of sexual abuse and sexual assault at (615) 253-8178. The Auditor was directed to leave a message with the reporting information and to provide her contact information for a return call. The Auditor received a call back from the TDOC State-wide PREA Coordinator within two hours indicating he had received the message to return my call. He stated he monitors the line for possible messages left by callers at a minimum twice daily. During the site visit, TDOC State-wide PREA Coordinator shared various messages he previously received from individuals who reported through the third-party reporting line at (615) 253-8178. He stated upon receiving the third-party reporting information, he immediately contacts the affected TDOC facility, and an investigation is initiated at the facility level.

115.52(f) TDOC Index 501.01 states after receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the grievance chairperson shall immediately forward the grievance to the Associate Warden of Treatment for any corrective action to be taken. The grievance chairperson will provide a response within 48 hours and a final decision within five calendar days. There were zero PREA allegations files through the emergency grievance process where an inmate alleged being at a substantial risk of imminent sexual abuse during

	<p>the 12- month review period. However, the initial response and final decision would be maintained within the PREA Allegation System (PAS) and shall document the facility’s determination as to whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.</p> <p>115.52(g) TDOC Index 501.01 states an inmate may be disciplined for filing a grievance related to alleged sexual abuse only when it is demonstrated that the inmate filed the grievance in bad faith. An interview with NECX Facility Investigator explained although policy does allow disciplinary sanctions of inmates who file the grievance in bad faith, no inmates have received disciplinary sanctions for this action.</p> <p>Based on the review of the review of the agency grievance policy that meets all provisions of the standard, grievance process noted in the Inmate Rules and Regulations Handbook, inmate’s utilization of the grievance process to report one (1) PREA allegation, observation during the site visit, Grievance boxes available throughout the Complex for submission, and interviews with the inmate population, NECX does meet all provisions of the standard.</p>
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<b>115.53 Inmate access to outside confidential support services</b>	
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims</li> <li>3. MOU with The Sexual Assault Center</li> <li>4. NECX Rules and Regulations Handbook</li> <li>5. NECX Designated Victim Advocate</li> <li>6. PREA Posters</li> <li>7. Memorandums Drafted by the NECX PREA Coordinator to the Inmate Population</li> <li>8. Interviews with: <ol style="list-style-type: none"> <li>a. Inmates Who Reported Sexual Abuse</li> <li>b. Formal and Informal Inmates</li> <li>c. TDOC State-wide PREA Coordinator</li> </ol> </li> </ol>

d. The Sexual Assault Crisis Center Representative

e. NECX Victim Advocate

115.53 (a) (b) TDOC Index 502.06.3 Inmates Access to Facility and Outside Confidential Support Services: (1) The name and contact information of the facility's Inmate PREA Victim Advocate shall be posted on each housing unit bulletin board. The facility shall ensure that inmates are provided access to outside victim advocate for emotional support services related to sexual abuse by giving inmates the mailing address and telephone numbers, including toll-free hotline numbers, were available, of local, state, or national victim advocacy or rape crisis organization and, for persons detained solely for civil immigration purposes, immigrant services agencies.

(2) The Facility PREA Coordinator shall ensure that inmates are informed, prior to giving them access, of the extent to which such communications will be monitor and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. A Notice was posted on all inmate housing unit bulletin boards that identified the Behavioral Health Administrator as the PREA Facility Victim Advocate.

(3) The TDOC shall attain memorandum of understanding (MOU) or other agreements with community services providers that are able to provide inmates with confidential emotional support services related to sexual abuse. Memorandum of Understand are to be approved by the TDOC General Counsel.

TDOC previously established a Memorandum of Understanding (MOU) between the Sexual Assault Crisis Center of East Tennessee and NECX in March 2015. However, per a telephone call via use of the \*9555, and interview with the receiver, the calls are forwarded to the Sexual Assault Crisis Center in Nashville, TN. Third party reporting and victim advocacy crisis counseling is available through the organizational crisis hotline by dialing \*9555 accessible 24 hours a day and through written correspondence only. Inmates may communicate through written correspondence by forwarding letters to Sexual Assault Crisis Center at P. O. Box 11523 Knoxville, TN 37939 and or Sexual Assault Center at 101 French Landing Drive Nashville, TN 37228. Per conversations with the NECX Associate Warden of Treatment/PREA Coordinator and the TDOC State-wide PREA Coordinator, is in the developing stage of attempting to establish a MOU for services at the NECX.

Memorandums drafted by the NECX PREA Coordinator/Associate Warden of Treatment addressed to the Inmate Population were observed posted throughout each housing unit, program and work assignment areas throughout the Complex. The memorandum "PREA Reporting" includes various methods of reporting sexual abuse and sexual harassment allegations that includes the Sexual Abuse Crisis Line at \*9555. The memorandum notes advocacy services are available through the Sexual Assault Crisis Center and calls to the Advocacy Center are confidential and are not monitored. that Calls to Advocacy Center are confidential and are not monitored. The memorandum is printed on bright yellow paper that is easily identified and in both the English and Spanish language.



An additional notice was observed on bulletin boards in all inmate housing units, program areas, and work assignments identifying calls to the Sexual Assault Center @ \*9555 will be confidential and TDOC will not record the call. The notice is also posted in both the English and Spanish language.

Each inmate upon arrival at NECX is given a Rules and Regulations Handbook which outlines methods of reporting PREA allegations. The information is provided in English and Spanish. The handbook notes that inmates can report to the Sexual Abuse Crisis Line at \*9555 and by written correspondence Sexual Assault Crisis Center P. O. Box 11523 Knoxville, TN 37939 and or Sexual Assault Center 101 French Landing Drive Nashville, TN 37228.

The Auditor observed telephones available for usage by the inmate population in all housing units throughout the Complex to include those inmates in segregation unit who also afforded the opportunity to utilize the phones. Per supervisory staff assigned to segregation, an inmate request to report a PREA allegation and/or contact the Sexual Assault Crisis Center to include via phone would be given immediate access to the phone.

General mailboxes are accessible to the inmate population in all housing units throughout the Complex. Mail is collected Monday through Friday. The mailboxes are available for the inmate population to report both internally and externally to include anonymously. The facility provides inmates with paper noted as a "Two -way Message"/ Inmate Request form to communicate in writing to staff. Inmates may personally give the note to staff, place it under the staff's office door, and/or place it in one of the available mailboxes. Inmates also can purchase note pads, pencils and ink pens to communicate in writing both internally and externally. An interview with staff assigned to the mailroom indicated all mail addressed to and from The Sexual Assault Crisis Center would be treated in the same manner as legal mail and not reviewed by staff. A call was initiated by use of the inmate phones to conduct the Sexual Assault Crisis Center via dialing \*9555. The completed call confirmed available reporting and victim advocate services via

The PREA Zero Tolerance for sexual abuse and sexual harassment poster tailored for NECX was observed posted throughout the Complex. The posters include the following information: the inmate's right to report and how to report that includes the Sexual Abuse Crisis Line at \*9555 for external reporting. The posters also include available PREA victims advocate services available through the NECX - Health Administrator. The NECX Health Services Administrator is the former NECX Behavioral Health Administrative who has a master's degree in psychology and has completed the "Meeting the Needs of Prison Rape Victims" that meets the qualifications to serve as a victim advocate.

NECX does not house persons detained solely for civil immigration purposes.

TDOC 502.06.3 states staff shall ensure that inmates are informed, 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.

Interviews were conducted with four (4) inmates who reported sexual abuse during the review period. All indicated their report of sexual abuse did not include sexual penetration and neither requested victim advocate services although they were aware of the available services. The Auditor also conducted an interview with an inmate who reported sexual abuse after the review period and prior to the on-site visit. The victim reported sexual penetration and acknowledged the Health Services Administrator/Facility Victim Advocate met with him on numerous occasions to include immediately upon reporting and regularly during numerous other occasions. He did not request the Facility Victim Advocate to report to the local medical center for the forensic examination. The victim also stated he has been seen by the mental health staff daily.

The Auditor also conducted interviews with 43 inmates that included both random and targeted group inmates in addition to 10 informal interviews. Inmates were aware of services provided by The Sexual Assault Crisis Center while identifying by the telephone \*9555, and the acknowledged the phone number and mailing address is posted on bulletin boards in English and Spanish. The inmates confirmed they were aware that the calls were free and confidential as it is posted on the PREA posters, on bulletin boards, and near inmate telephones. However, zero inmates indicated they had attempted to initiate contact for services.

115.53 (c) The MOU formerly established with the Sexual Assault Crisis Center of East Tennessee in 2015 is no longer valid, as coverage areas was revised and assigned to designated counties throughout the state of Tennessee just over a year ago as stated by a representative with the Sexual Assault Crisis Center of Nashville, TN. However, third party reporting and victim advocacy services continues to be provided by the Sexual Assault Crisis Center located in Nashville, TN via phone at \*9555 and through written correspondence. Per interviews with the TDOC State-wide PREA Coordinator and the NECX PREA Coordinator, efforts are being initiated to establish an MOU for NECX.

A memorandum drafted by the NECX Associate Warden of Treatment/NECX PREA Coordinator addressed to the NECX Inmate Population identifies the facility's PREA Victim Advocate and his official position. The notification identifies the designated facility PREA Victim Advocate and his official position as the Health Services Administrator. The memorandum also notes the facility's victim advocate can be reached through an inmate information request from, or through another staff member while listing the designated victim advocate's name and telephone information.

The NECX Health Services Administrator is the former NECX Behavioral Health Administrative who has a master's degree in psychology and has completed the "Meeting the Needs of Prison Rape Victims" that meets the qualifications to serve as a victim advocate.

Per an interview with the NECX Victim Advocate, he provides emotional and crisis intervention services to the inmates in a variety of capacities based on his educational and work experience as a behavioral health administrator, health

	<p>services administrator and as the facility's' victim advocate. He communicates with the victims prior to their departure from the facility for the forensic examination while explaining all the available services that are offered to the inmate. He added there were no circumstances where an inmate requested his presence as a victim advocate during the examination. However, upon the inmates' return to the facility he immediately meets with the victim and offers additional sessions while also arranging mental health therapy sessions. He added as the Health Services Administrator, he also provides medical services such as medication as needed to the victim.</p> <p>Based on the review of TDOC agency policy, inmate handbook, PREA postings, interviews with a Sexual Assault Crisis Center Representative, NECX Victim Advocate, inmate population and staff, testing of inmate accessibility to communicate with outside resource, observation during site visit, and analysis, the facility has demonstrated compliance with all the provisions of the standard.</p>
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<b>115.54</b>	<b>Third-party reporting</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 506.06.2 PREA Allegations, Investigations, and SART</li> <li>3. NECX Inmate Rules and Regulation Handbook</li> <li>4. PREA Posters and PREA Reference Memorandums</li> <li>5. PREA Investigative Case Files</li> <li>6. TDOC Agency Website</li> <li>7. Observation during site visit</li> <li>8. Interviews with: <ol style="list-style-type: none"> <li>a. Inmate Population</li> <li>b. TDOC PREA Coordinator</li> <li>c. The Sexual Assault Center Representative</li> </ol> </li> </ol> <p>115.54(a) TDOC Index 502.06.2 states, The Department shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment and staff neglect or violation of responsibilities that may have contributed to an</p>

incident of sexual abuse. The identified methods include third-party reporting.

Third party reporting methods were observed included in the inmates' handbook, posted in all housing units, visiting rooms, programs, and work areas in large font in both English and Spanish while visible to staff, inmates, and visitors. Additionally, the Auditor's Notice of the PREA Audit Site Visit was observed posted in all the aforementioned areas and confirmed as posted on January 4, 2024, through the submission of photographs to the Auditor. Interviews with staff and the inmate population confirmed the Auditor's Notice were posted several weeks prior to the Auditor's arrival. The Auditor received three (3) letters during the pre-audit phase requesting to be interviewed and was interviewed during the random inmate selection.

The NECX Inmate Rules and Regulations Handbook includes methods of third-party reporting includes the following: Sexual Abuse Crisis Line \*9555; Tip Line for reporting any wrongdoing telephone number \*9111; Sexual Assault Center 101 French Landing Drive Nashville, TN 37228 (615) 259-9055; Sexual Assault Crisis Center P. O. Box 11523 Knoxville, TN 37939 (865) 522-7273l. Formal and informal interviews with the inmate population confirmed they have the availability to purchase writing instruments to include note pads, ink pens, pencils and postal stamps from the inmate commissary that allow them to communicate in writing both internally and externally with others. General mailboxes are accessible to the inmate population throughout the Complex and the outgoing mail is collected Monday - Friday apart from holidays.

A memorandum drafted by the NECX PREA Coordinator to the "Inmate Population" is posted on bulletin boards throughout the Complex that is accessible to all staff, and inmate population. The memorandum is printed on bright yellow paper that has an eye-catching effect on the observer. This memorandum is also visible to visitors upon entering the facility entrances and visiting rooms. The memorandum identifies Internal/External PREA Reporting. The noted methods include a) Reporting directly to staff member(s); b). PREA Tip lines \*9222 and \*9555 which both are identified as confidential calls and will not be recorded.

A completed call with a representative with the Sexual Assault Crisis Center confirmed receiving third party reporting calls from the NECX inmate population. The representative acknowledged their responsibility to accept the calls. No calls were reported as received within the review period.

Per an interview with the NECX PREA Coordinator, the facility received notification of one (1) inmate call from the NECX to the Sexual Assault Crisis Center (\*9555) during the post audit phase. The inmate caller identified a concern with his clothing issue at NECX and not that of a PREA allegation. The NECX PREA Coordinator was notified via a telephone from the Sexual Assault Center.

The review of the 17 completed PREA investigative case files confirmed the method of reporting was included within the investigation by the assigned investigator. The PREA allegations were reported in the following methods: via grievance, anonymously, written notes to staff, and/or via the institution PREA Tip Line \*9222.

	<p>The Auditor also reviewed the agency’s website at <a href="https://www.tn.gov/correction/state-prisons/prison-rape-elimination-act.html">https://www.tn.gov/correction/state-prisons/prison-rape-elimination-act.html</a> that included third party reporting information accessible to the public. The agency’s website states, “In addition to the facility PREA TIP lines, TDOC has established a TIP line for third-party reporting of sexual abuse and sexual assault at (615) 253-8178.” The Auditor conducted a test call to the TDOC Tip Line (615) 253-8178 and confirmed the available resource to report via third-party. Specifically, the Auditor received a recording that instructed the Auditor to provide the reporting information to include the affected facility, inmate name and number, and callers’ contact information for a returned call. A returned call was received within two hours of the Auditor’s completed call. During the site visit, the TDOC PREA Coordinator shared with the Auditor examples of previous calls and messages he previously received from third-party calls for various TDOC facilities.</p> <p>Interviews with random and target group inmates indicated most were aware that reports of sexual harassment and sexual abuse could be reported via a third-party such as a family member, friend, or another inmate while identifying this information is located on the PREA posters throughout the facility.</p> <p>Staff interviews also confirmed their awareness of third-party reporting options to include the PREA hotline numbers, inmates’ family member, friend, or another inmate for reporting acts of sexual abuse and/or sexual harassment.</p> <p>Based on the review of policy, TDOC website, PREA posters and bulletins posted observed during site visit, confirmation of completed third-party via call to TIP Line, interviews with staff and inmate population, observation during the site visit, the facility has demonstrated compliance with all the provisions of this standard.</p>
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<b>115.61</b>	<b>Staff and agency reporting duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li>3. PREA Cards</li> <li>4. Observation During Site Visit</li> <li>5. Interviews with: <ol style="list-style-type: none"> <li>a. NECX Warden</li> <li>b. TDOC State-wide PREA Coordinator</li> </ol> </li> </ol>

c. Random staff

d. Behavioral Health Administrator

e. Health Services Administrator

115.61(a) TDOC Index 502.06.2 states, "All staff are required to report immediately to their supervisor 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 TDOC, retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Staff interviews indicated they are aware of their responsibility and duty to report all knowledge of PREA allegations. Staff stated they would immediately report to the Shift Commander and complete a documented report of their awareness to include from third-party as soon as possible and always prior to departing from their shift. Non-security staff identified they would report the information to their direct supervisor, security staff within their immediate area who would notify the Shift Commander, or they would personally notify the Shift Commander. Staff carry a PREA refresher card "PREA Action Steps for Allegations" that notes upon staff ensuring the alleged victim is safe and has no contact with the alleged aggressor, staff are to notify the shift supervisor immediately who notifies the Associate Wardens/Warden.

115.61(b) TDOC Index 502.06.2 states staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. TDOC utilizes the TDOC Distributed Apps and PREA Allegation System (PAS) on their intranet for storage of PREA related information with approved access to limited staff positions. Staff interviewed were aware of the extent in which information of sexual abuse and/or sexual harassment should be shared only with authorized staff necessary to make treatment, investigation and other security and management decisions. The Auditor observed staff operational procedures of the TDOC Distributed Apps that stores PREA related information. The Auditor also observed the medical records department where the inmates' medical and mental health files are maintained with limited staff accessibility.

115.61(c) TDOC Index 502.06.2 states, "Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse as outlined in this policy and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services." Interviews confirmed medical and mental health staff are aware of their duties as required by this provision and this information is shared with the inmate at the initiation of services of their limitation of confidentiality and duty to report.

Per the Behavioral Health Administrator, and Health Services Administrator staff are required to disclose the limitation of confidentiality to the inmates. The inmates are required to sign their acknowledgement of the limitation and are also informed on multiple occasions at the initiation of additional services. Both indicated they are

	<p>required to report to the shift supervisor, facility investigators, and facility PREA Coordinator. Neither reported being informed directly by an inmate of a PREA allegation.</p> <p>115.61(d) Per the NECX PREA Compliance Manager and NECX Warden, the facility does not have inmates under the age of 18 years old. The average age range of inmates at NECX is between the ages of 18 - 81 years old.</p> <p>Per the TDOC State-wide PREA Coordinator, NECX does not house individuals under the age of 18 and/or vulnerable adults. However, if an alleged victim is considered a vulnerable adult under a State or local vulnerable persons statute, the Department will report the allegation to the designated State or local services agency under applicable mandatory reporting laws such as Tennessee Department of Human Services (DHS) Adult Protective Services. However, TDOC has received guidance from Adult Protective Services which indicates that TDOC may investigate within their facilities.</p> <p>Per the NECX Warden, the facility does not house inmates under the age of 18 and/or vulnerable adults. However, under such circumstances would be reported to designated State or local services agency under applicable mandatory reporting laws such as Tennessee Department of Human Services (DHS) Adult Protective Services.</p> <p>115.61(e) TDOC 502.06.2 states, Facility staff shall report all allegations of sexual abuse and sexual harassment, including third-party, and anonymous reports, to the OIC Institution Investigator for an investigation. Per the NECX Warden, all reported PREA allegations regardless of how they are reported, are immediately referred to the appropriate TDOC agency Investigators for all administrative and criminal investigation.</p> <p>Based on the review of policy, PREA Cards, documents, interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.</p>
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<b>115.62</b>	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li>3. Interviews with: <ol style="list-style-type: none"> <li>a. Agency Head Designee</li> </ol> </li> </ol>

	<p>b. Warden</p> <p>c. Random staff</p> <p>115.62 (a) TDOC Index 502.06.2 states It is the policy of the TDOC to investigate all PREA sexual abuse and sexual harassment allegations in a timely, efficient and confidential manner in accordance with federal guidelines (Title 28 CFR Part 115. TDOC 502.06.2 states “If facility staff receives information that an inmate is subject to a substantial risk of imminent sexual abuse, staff shall take immediate action to protect the inmate.” The Auditor utilized a variety of scenarios during interviews with random and specialized staff to include contractors and volunteers. All indicated they would remove the inmate from the area of threat, secure and/or maintain a visual of the inmate while notifying security staff and/or the Shift Commander. Staff, to include contractors and volunteers, are issued and carry a PREA Refresher Training card in their possession that lists the steps to take to protect an inmate. Per the PAQ, there have been zero instances where the facility determined that an inmate was subject to a substantial risk of imminent sexual abuse.</p> <p>The Warden indicated in circumstances where the facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, methods to ensure safety would immediately be implemented to include monitoring and alternate housing as needed. An investigation would be initiated, and an inmate identified as the threat/ aggressor would be placed in segregation.</p> <p>An interview with the Agency Head Designee indicated TDOC has an immediate response system in place as sexual safety is taken seriously by the agency. The first step would be to separate the at-risk individual from the potential risk and protect them from harm. There are specific areas of the compound that are designated as protective custody (PC). A protective custody investigation will be initiated, and any issues identified. The offender will remain housed in PC until the risk is eliminated by a transfer of the potential threat or until the offender expresses that they are no longer fearful and want to return to the compound.</p> <p>There were no occurrences reported where an inmate was subject to a substantial risk of imminent sexual abuse that required immediate action from staff.</p> <p>Based on the review of policies, documents, PREA Refresher Cards, interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.</p>
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<b>115.63</b>	<b>Reporting to other confinement facilities</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Evidence Reviewed (documents, interviews, site review):



1. NECX Completed Pre-Audit Questionnaire (PAQ)
2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART
3. PREA Case File
4. Interviews with:
  - a. Agency Head Designee
  - b. Warden

115.63 (a) (b) (c) (d) TDOC Index 502.06.2 states upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Warden of the facility that received the allegation shall notify the head of the facility where the alleged abuse occurred. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation. The Warden/Superintendent who receives such notification shall ensure that the allegation is investigated in accordance with TDOC policy.

The PAQ notes the facility received two (2) notifications of an inmate reporting he was sexually assaulted and/or abuse at their previous correctional facility that was unreported upon their arrival at NECX. However, this information was identified as incorrect. The facility received information of a substantiated sexual abuse investigation and the requirement of NECX staff completion of retaliation monitoring of the arriving inmate.

Per the NECX Warden, upon an inmate's report of an unreported allegation of sexual abuse and/or sexual harassment, Warden to Warden notification would be made both verbally and in writing via email as soon as possible on the day of the reported allegation.

Per the PAQ, the facility received two (2) notifications in which an inmate reported a sexual abuse allegation after their departure from NECX to another TDOC facility. This information was later identified as incorrect as there were zero. The facility only received notification of completed substantiated sexual abuse investigations that required the victim to be monitored for retaliation.

Per an interview with the TDOC Agency Head Designee, in such instances of a facility reporting and/or receiving an unreported allegation, the designated point of contact is the TDOC State-wide PREA Coordinator, who in turn will notify the Warden, the Facility's PREA Coordinator, and the Facility's Institutional Investigator. The agency does have examples of outside agency referrals as the referrals are routinely received from various the Rape Crisis Centers where the agency has established a MOU.

Based on the review of agency policy, the PAQ, investigative case files, and interviews with the TDOC Agency Head Designee, and Warden, the facility has demonstrated compliance with all the provisions of this standard.

<b>115.64</b>	<b>Staff first responder duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li>3. NECX Index 502.06.2-1 PREA Allegations, Investigations, and SART</li> <li>4. PREA Response Card</li> <li>5. Interviews with: <ol style="list-style-type: none"> <li>a. Inmates Who Report Sexual Abuse</li> <li>b. Random Staff Interviews</li> <li>c. Security First Responder</li> </ol> </li> </ol> <p>115.64(a) (b) NECX Index 502.06.2-1 states the staff first responder is required to instruct the alleged victim not take any action that could destroy physical evidence and immediately notify the shift commander. The alleged victim will be instructed not to shower, wash their hands, brush teeth, change clothes, urinate, defecate, drink, or eat. If the alleged abuse occurred within a 72-hour time period of reporting, the shift commander shall initiate the Sexual Abuse Incident Check Sheet, CR 3776 included in the TDOC Index 502.06.2. Security staff shall separate the alleged victim and abuser. Security shall preserve and protect any crime scene until appropriate steps can be taken to collect any evidence. The Shift Commander shall notify the Sexual Assault Response Team (SART)</p> <p>TDOC Index 502.06.2 states, "If the first staff responder is not a security staff member, he/she is required to instruct the alleged victim not to take any actions that could destroy physical evidence and then immediately notify the shift commander. The alleged victim and abuser shall be instructed not to wash their hands, shower, brush teeth, change clothes, urinate, defecate, drink or eat. Security shall separate the alleged victim and abuser. Security staff shall preserve and protect any crime scene until appropriate steps can be taken to collect any evidence. Security staff shall notify the SART. Per the PAQ and review of investigative case files, there were zero incidents that noted non-security staff serving as a first responder.</p> <p>Interviews conducted with security and non-security staff to include contractors and volunteers confirmed all were aware of their responsibilities as first responders. All reported they would immediately separate the inmates and maintain a visual of the victim, implement efforts to preserve a crime scene including advising those inmates involved to not shower, change clothing, brush teeth, eat, drink, or use the toilet and notify the Shift Commander. All staff are trained as first responders and are issued a</p>

	<p>PREA Response Card. The card lists the PREA Action Steps for Allegations for an immediate response to an allegation of sexual abuse.</p> <p>The NECX PAQ noted 14 sexual abuse allegations were reported during the 12 - month review period. However, 15 were identified and 14 investigations were completed and one (1) remained pending. It also noted the number of times the first responder security staff and/or non-security staff responded to the reported incident within a time to separate the alleged victim and abuser as one (1). One (1) inmate was transported to the outside medical center for a forensic medical examination due to alleging sexual penetration. Documentation supports the collection of physical evidence. The results of the DNA sample and investigation remained pending during the audit process. An interview was conducted with a security staff member who served as a first responder who explained the appropriate first responder duties as outlined in agency policy and standard.</p> <p>Interviews with four (4) inmates who reported sexual abuse indicated their allegations did not include sexual penetration. Each inmate reported they had removed themselves from the area prior to reporting the allegations to staff and/or the PREA Hotline. Each stated upon reporting, staff immediately took actions based on their reported allegation and they were escorted to the medical department for a medical assessment and later seen by mental health staff.</p> <p>Based on the review of agency policies, sexual abuse investigative case files, PREA Response Card, observation during site visit, and interviews, the facility demonstrated compliance with all the provisions of this standard.</p>
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<b>115.65</b>	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. NECX Index 502.06.2-1 PREA Allegations, Investigations, and SART</li> <li>3. NECX Protocol for Responding to PREA Related Reports</li> <li>4. Interview: <ol style="list-style-type: none"> <li>a. Warden</li> </ol> </li> </ol> <p>115.65 (a) NECX Index 502.06.2-1 identifies procedures to follow upon notification of a reported PREA allegation. The policy outlines the responsibilities of the Sexual Abuse Response Team (SART) as a coordinated response team that is comprised of medical and mental health practitioners, facility investigators, and facility security</p>

	<p>leadership. The team consists of the Associate Warden of Treatment, the Health Services Administrator/Director of Nursing, the Mental Health Administrator /designee, the Chief of Security /designee, and one of the Institutional Investigators. The policy outlines the response procedures upon a reported allegation of sexual abuse to include those reported within 72 -hours, responsibilities of the first responder, security shift commander, SART response, SANE response, available hospitals with SANE, availability of a PREA Victim Advocate to the alleged victim upon request, investigative procedures that includes the completion of specialized training for the authorized investigators, accountability of the allegations within the PREA Allegation System (PAS), thoroughness of the investigations within the written reports for administrative and criminal investigations, notification of the investigative finding to the victim and the completion of an incident review within 30 days of the substantiated and unsubstantiated investigation.</p> <p>The facility has also adopted an additional Protocol for Responding to PREA Related Reports that outlines staff duties as such: Responding to Allegations of sexual abuse after hours – Health Services Personnel Responsibilities; Responding to Allegations of sexual abuse after hours – Sift OIC Responsibilities; PREA Allegation Procedure – Health Services Personnel Responsibilities; Responding to Allegations of Abuse - Shift OIC Responsibilities; Responding to PREA Related Reports – All Staff; Responding to PREA Sexual Abuse Allegation Report; CR-3776, TDOC Sexual Abuse Incident Checklist.</p> <p>Per an interview with the NECX Warden, he identified the NECX Index 502.06.2-1 and NECX facility policies as the written institutional plans to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p>Based on a review of the agency policy, interview and analysis, the facility has demonstrated compliance with this standard.</p>
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<b>115.66</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. Tennessee Code Annotated 50-1-207</li> <li>3. Interview with: <ol style="list-style-type: none"> <li>a. Agency Head Designee</li> </ol> </li> </ol>

	<p>115.66 (a)TCA Code 50-1-207 states “Prohibition against requiring any employer or employee to waive their rights under the National Labor Relations Act or require acceptance or agreement to any provisions that are mandatory or non-mandatory subject of a collective bargaining under Federal law. The Agency Head Designee reported TDOC does not have any collective bargaining agreements for this facility nor has the agency entered into any collective bargaining agreement since August 20, 2012. There is a historical agreement in one of the agency’s East Tennessee facilities, but it does not grant protection for staff during any allegation of misconduct.</p> <p>Based on a review of the code, interviews and analysis, the facility has demonstrated compliance with this standard.</p>
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<b>115.67</b>	<b>Agency protection against retaliation</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li>3. Documentation of Retaliation Monitoring</li> <li>4. Interviews with: <ol style="list-style-type: none"> <li>a. Agency Head Designee</li> <li>b. NECX Warden</li> <li>c. Staff Charged with Conducting Retaliation Monitoring</li> <li>d. Inmates Who Reported Sexual Abuse</li> </ol> </li> </ol> <p>115.67 (a) TDOC Index 502.06.2 indicates inmates and staff who are involved in reporting sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation by other inmates or staff. Appointed members of the facility SART shall monitor staff and inmates for protection from retaliation utilizing PREA Retaliation Review (Inmates) for inmates, CR-3963, and PREA Retaliation Review (Staff), CR-3982, for staff.</p> <p>115.67(b) TDOC Index 502.06.2 indicates the facility shall employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. Per interviews with the</p>

Agency Head Designee and NECX Warden, there are multiple options available to protect inmates, and staff from retaliation. The Agency Head Designee indicated TDOC monitors victims and aggressor for retaliation on a 30-, 60-, and 90-day time frame. In addition, TDOC offers the victim the ability to transfer facilities. Should the victim decide to remain, the aggressor is transferred to another facility. At a minimum the victim and aggressor are listed as incompatible and prohibited from being housed together. Retaliation for cooperation is not tolerated in TDOC. If the individual is an offender, they would be granted protective custody status until the aggressor was removed from the compound and the retaliation could be addressed. If the individual is a staff member, steps are instituted to ensure that retaliation is recognized, and addressed appropriately (i.e. termination of aggressor, staff transfer of retaliator, or reassignment of retaliator).

The NECX Warden identified measures to protect inmates and staff include monitoring at 30-day intervals for a minimum of 90 days and longer if needed. Inmates are monitored closely for any unjustifiable housing changes, unjustifiable work assignment changes, and an increase in discipline sanctions. He added staff are monitored for an increase in discipline, unjustifiable reassignments from normal assignments, request for excessive leave and/or the denial of leave request. An investigation would be conducted on any staff and/or inmate identified as participating in acts of retaliation towards others and applicable discipline and/or termination would be issued upon being identified as substantiated.

115.67(c) (d) (e) TDOC Index 502.06.2 states, Inmates and staff who are involved in reporting sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigation shall be protected from retaliation by other inmate or staff. The policy states for at least 90 days following a report of sexual abuse, the Department shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse.

Departmental monitoring shall involve looking for any changes that may suggest possible retaliation by inmates or staff. Institutional SART members shall act promptly to remedy any such retaliation. TDOC Index 502.06.2 also states If an offender who is being monitored for retaliation transfers to another facility whose primary purpose is to house TDOC inmates, The PREA Coordinator from the sending facility shall notify the PREA Coordinator at the receiving facility of the required monitoring. The receiving facility will be responsible for conducting the monitoring and forwarding the required PREA Retaliation Review (Inmate) for inmates, CR-3963, to the sending facility for placement in the PREA investigative file. Should the offender transfer to another facility prior to completing the 90-day cycle of monitoring, the original sending facility shall be notified by the original receiving facility so that notification of the monitoring requirement can be sent to the new facility by the original sending facility so the process can begin again with no break in monitoring for the offender. The retaliation monitoring shall continue beyond 90 days if the initial monitoring indicates a continuing need. This monitoring shall include, but not be limited to inmate disciplinary reports; inmate housing or programming changes; or negative performance reviews or reassignments of staff.

The NECX Facility Investigator was interviewed as a staff member who conducts

retaliation monitoring. He confirmed he meets with each inmate who has reported sexual abuse allegations with a substantiated and/or unsubstantiated investigative finding to include those who have assisted with an investigation as such. He confirmed he meets each inmate at 30-, 60-, and 90-day intervals to discuss any concerns while documenting the retaliation monitoring form. He discusses the areas on the agency's retaliation monitoring forms while reviewing any discipline received, housing assignment changes to include segregation, behavior changes, any other possible unjustifiable changes since the initiation of the investigation. The interview with the inmate is conducted in a private office away from all staff and other inmates. He added, he has never encountered the need to extend the retaliation monitoring beyond 90 days but has on occasions referred an inmate to mental health services. He also added he conducts regular rounds through the Complex that allow the inmates to approach him as needed if they need to address any concerns. He added regarding monitoring staff for retaliation monitoring, he also meets with staff on a regular basis and makes himself accessible to them numerous times in an excess of once every 30 days for a minimum of 90 days and would continue beyond 90 days if needed. He also communicates with staff regarding any negative interaction with other staff and the inmate population in addition to supervisory staff, disciplinary write-ups, unreasonable changes in post assignments, and/or work schedules. He concluded, he has not observed and/or became aware of circumstances in which staff or inmates have expressed and/or experienced acts of retaliation from others.

The review of ten (10) sexual abuse investigations confirmed five (5) received an investigative finding of substantiated and/or unsubstantiated. The remaining five (5) unfounded investigative findings were concluded within eleven (days) of the reported allegations. However, the review of 17 PREA investigations including sexual abuse and sexual harassment, confirmed all victims and aggressors to include staff were monitored for 90 days with the exception of one (1) staff who was terminated and criminally prosecuted. The victims of sexual harassment were also monitored for 90 days. Documentation of completed retaliation monitoring was noted at 30-day intervals for 90 days. There were zero circumstances where retaliation monitoring exceeded 90 days.

Interviews were conducted with four (4) inmates who reported sexual abuse during the review period. Each inmate indicated staff met with them at a minimum monthly for 90 days to discuss any concerns they may have such as retaliation from staff and/or the inmate population. All indicated they have not experienced any concerns in which they could relate to their involvement in the sexual abuse investigations.

Based on the review of policies, PREA investigative case files, completed retaliation monitoring forms completed pursuant to the standard provisions, interviews and analysis, the facility has demonstrated compliance with all provisions of this standard

<b>115.68</b>	<b>Post-allegation protective custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard

## **Auditor Discussion**

Evidence Reviewed (documents, interviews, site review):

1. NECX Completed Pre-Audit Questionnaire (PAQ)
2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART
3. PREA Investigative Case Files
4. Interviews with:
  - a. Warden
  - b. Staff Who Supervise Segregation
  - c. OIC Investigator

115.68 (a) TDOC Index 502.06.2 indicates that any use of restrictive housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of this policy and coordinated by the unit management team.

Protective Services Investigative Routing, CR-3241, shall clearly indicate the basis of concern for the inmate's safety and the reason why no alternative means of separation can be arranged. Inmates at high risk for sexual victimization may be placed in restrictive housing only after an assessment of all available alternatives has been made, and only until an alternate means of separation from likely alleged abuser(s) can be arranged. This housing assignment shall not ordinarily exceed a period of 30 days.

Inmates placed in restrictive housing for this purpose shall have access to programs, education, and work opportunities to the extent possible. If an inmate's access is restricted, the facility shall document which opportunities have been limited, the duration of the limitations and the reasons for such limitations that should be documented on LCDG Contact Notes.

If an extension is necessary, the SART member(s) shall clearly document such in the PREA Allegation System application: 1) basis for concern for the inmates' history; 2) the reason why no alternative means of separation can be arranged; 3) the need for emotional support services for inmates or staff who fear retaliation for reporting sexual abuse, or sexual harassment, or for cooperation with investigations. Every 30 days, the facility staff shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population.

Per the PAQ the number of inmates who alleged to have suffered sexual abuse who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement was identified as two (2). The PAQ also noted a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include a statement of the basis for facility's concern for the inmate's safety, and the reason or reasons why alternative means of separation could



not be arranged as one (1). However, staff submitted a memorandum noting that the correct number for both were zero as the inmates had requested for placement in segregation.

Per the interview with the Warden, the agency and facility does prohibit placing inmates at high risk of sexual victimization or have alleged sexual abuse in involuntary housing in lieu of other alternative housing. The identified aggressor would be placed in involuntary segregation. The victim would only be placed in involuntary segregation while pending punitive discipline and/or other institutional concerns. However, the victim may request protective custody. Alternative housing is available throughout the Complex to prevent interaction as needed to provide a safe environment. Additionally, inmate movement throughout the Complex is under control movement which limits inmate interaction, and the inmates are directly supervised on job site and in program areas.

Staff who supervise segregation also indicated inmates who report sexual abuse and/or those inmates who are at a high risk of being sexual abused are never placed in segregation. However, all inmates who are placed in segregation are awarded the same activities and programs as those inmates within the general population but within limitations to include education, recreation, showers, medical and mental health services, mail, telephone access, legal, leisure and religious services material, and grooming services due to restrictive housing security requirements.

The review of the sexual abuse investigative cases confirmed zero inmates who reported sexual abuse and/or identified at a high risk of being sexual abused were placed in segregation based solely on the standard provision.

Based on the review of agency policy, interviews with the Warden and staff who supervise segregation, PREA investigative case files, and analysis, the facility has demonstrated compliance with this standard.

<b>115.71</b>	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Evidence Reviewed (documents, interviews, site review): <ul style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li>3. TDOC Index 107.02 Office of Investigations and Conduct Operational Procedures</li> <li>4. PREA Investigative Case Files</li> <li>5. Interviews with:</li> </ul>

- a. OIC Special Agent and OIC Institution Investigator
- b. NECX Warden
- c. TDOC State-wide PREA Coordinator
- d. NECX PREA Compliance Manager

115.71(a) TDOC 502.06.2 states it is the policy of TDOC to investigate all PREA sexual abuse and sexual harassment allegations in a timely, efficient, and confidential manner in accordance with federal guidelines (Title 28 (CFR Part 115)). Staff shall accept reports made verbally, in writing, anonymously, and from third parties. Allegations shall be documented within 24 hours of becoming known to facility staff in the PREA Allegation System (PAS). These investigations shall be conducted within 72 hours of receiving the allegation. SART team members/investigators who have received special training in conducting sexual abuse investigations in confinement settings shall investigate all allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

TDOC Index 107.02 identified the agency has an Investigation Unit (IU) that is a specialized law enforcement unit of the TDOC which conducts both administrative criminal investigations of offenses relative to and/or affecting the TDOC.

Interviews with both the OIC Special Agent and OIC Institution Investigator indicated normally, the initiation of the investigation is immediately upon notification of the allegation. Although the completion of the investigation can vary depending on the circumstances of the allegations and other factors, all are required to be completed in a timely manner. All reported allegations are investigated in the same manner regardless of whether it was reported via a third party, anonymously, verbally and/or in writing.

The facility reported 22 allegations of sexual abuse and/or sexual harassment during the 12 -month review period. Of those 22 cases, 20 were completed as an administrative investigation, one (1) as criminal and one (1) remained pending. The Auditor selected 17 investigative case files for review. The review supported the investigations were completed as soon as on the day of being reported and/or not longer than 11 days of being reported. Each of the investigative case files contained written statements by the alleged victim, alleged aggressors, identified witnesses, audio recorded statements, notes completed by the investigative staff, photographs, documented review of video, applicable inmate phone calls, medical and mental health treatment, applicable evidence reviewed and collected, policy violations, detailed summary of events and the investigative findings based on the preponderance of the evidence collected.

115.71(b) TDOC 502.06.2 states, "where sexual abuse is alleged, the agency shall use investigators who have received special training in sexual abuse investigations." A Sexual Abuse Response Team (SART member who has received special training in conducting sexual abuse investigations in confinement settings shall investigate. The

OIC Institution Investigator is a member of the SART and conduct administrative investigations of alleged sexual abuse and sexual harassment. However, if the case appears criminal in nature, the Regional OIC Special Agent is notified and continues with the investigation. Administrative investigations are typically completed by the OIC Institution Investigator. The review of the selected 17 investigative case files supports each investigation and was completed by the NECX Facility Investigator and/or the NECX PREA Coordinator who have successfully completed the specialized training pursuant to standard 115.34. in which training certifications of completion for the following course for the OIC Institution Investigators were identified as the following: National Institute of Corrections: "Conducting Sexual Abuse Investigations in a Confinement Setting Advanced." OIC Special Agents who are authorized to conduct criminal investigations complete mandatory training through the Tennessee Police Training Academy, Tennessee Bureau of Investigations, and the Tennessee Law Enforcement Academy in addition to the NIC courses.

115.71(c) TDOC Index 502.06.2 indicates that OIC Special Agents shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. The review of the selected 18 investigative case files confirmed the OIC Investigators utilized all available evidence and data that included the review of video, collection of witness statements, review inmate telephone calls, letters, inmate rosters, inmate and applicable staff interviews, review grievances, review the history between the victim and aggressor, review disciplinary sanctions, and medical services provided as applicable. As identified during interviews with the OIC Investigators. There were zero allegations of sexual abuse that met the mandate of physical evidence collection of DNA sampling during the 12-month review period.

115.71(d) TDOC Index 502.06.2 states when the quality of evidence appears to support criminal prosecution, the Department shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. An interview with the OIC Special Agent indicated she would communicate with the County District Attorney's Office while discussing the case and evidence collected for their viewpoint regarding possible prosecution.

115.71(e) TDOC Index 502.06.2 states, "The credibility of a victim, suspect, or witness, shall be assessed on an individual basis, and shall not be determined by the person's status as inmate or staff. Inmates who allege sexual abuse shall not be required to submit to a polygraph examination or other truth telling devices as a condition for proceeding with the investigation of such an allegation." Investigators interviewed stated that credibility of an alleged victim, suspect, or witness is considered on an individual basis while based solely on the evidence collected. Additionally, OIC Special Agent and/or OIC Facility Investigator indicated neither would under any circumstance require an alleged victim of sexual abuse and/or sexual harassment to submit to a polygraph examination. The review of the 18 PREA investigative case files supported there was no indication that an alleged victim was

requested to participate in polygraphy or another truth-telling device. Interviews with four (4) inmates who reported an allegation of sexual abuse acknowledged they were not required to submit to a polygraph or other truth telling device.

115.71(f) TDOC Index 502.06.2 indicates that administrative investigations shall include an effort to determine whether staff actions or failures to act facilitated the abuse and shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative findings. A review of administrative investigations and sexual abuse incident reviews demonstrated the investigators and SART team members include a review to determine the effect of staff actions and/or failures as it pertains to the reported allegation. An interview with both the OIC Institution Investigator and the OIC Special Agent confirmed they include detailed information in the investigative report if staff 's actions or lack of responsibilities contributed to facilitating the abuse. The review of the investigative case files included a review of available video that included staff actions for applicable staff on inmate sexual abuse investigations. Documentation of PREA case files, medical, mental health and inmate risk screening is stored electronically. Accessibility is given to authorized staff only upon approval and the issuing of credentials for login. Hard copies files are securely stored electronically, and in secured file cabinets in departmental offices accessible only to staff within the respective departments.

115.71(g) TDOC 502.06.2 states that criminal investigations shall be documented in a written report which contains a thorough description of physical, testimonial, and documentary evidence. One staff member on inmate sexual abuse investigation was concluded as substantiated. The investigative report included the staff member's admission to sexual contact with the inmate verbally to include the testimonial via audio recording. The case was accepted for prosecution by the District Attorney's Office.

115.71(h) TDOC Index 502.06.2 states, "Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution. Per an interview with the OIC Special Agent, cases are referred for criminal prosecution pending probable cause of the investigative finding. One (1) substantiated sexual abuse investigation was referred for criminal prosecution. Per the review of court documentation, the staff member pleaded guilty to one (1) count of sexual contact with an inmate and was placed on two (2) years' probation. An inmate on inmate substantiated sexual abuse case was pending a referral to the District Attorney's Office, however, the aggressor died prior to the submission.

115.71(i) TDOC Index 502.06.2 states that such investigative records shall be retained for as long as the alleged abuser is incarcerated or employed by the Department, plus five additional years. This practice was confirmed by the OIC Institution Investigator and OIC Special Agent. Administrative investigative case files are maintained in the PAS at the facility level and criminal investigations are maintained at the Office of Investigations and Conduct.

115.71(j) TDOC Index 502.06.2 states that the departure of the alleged abuser or

	<p>victim from the employment or control of the facility or Department shall not provide a basis for terminating an investigation. Interviews with both the OIC Institution Investigator and OIC Special Agent confirmed although staff may resign during an investigation, the investigation continues to include the arrest and prosecution of staff when applicable. The review of the 17 investigative case files, supported one (1) victim identified as a temporary hold was transferred to his designated TDOC facility within 48 hours of reporting the sexual abuse allegation. The investigation continued after his departure and was determined as substantiated. The identified aggressor received disciplinary sanctions in accordance with the TDOC inmate discipline policy.</p> <p>115.71 (k)(l) The Office of Investigations and Conduct is part of the Tennessee Department of Corrections and conducts its own criminal as well as administrative investigations into cases of sexual abuse and sexual harassment. This information was confirmed during interviews with NECX Warden, TDOC State-wide PREA Coordinator, OIC Special Agent, NECX PREA Compliance Manager and OIC Facility Investigators in addition to the review of the 17 investigative case files. Therefore, provisions (k) and (l) are not applicable.</p> <p>Based on the review of policy, 17 investigative case files, interviews and analysis, the facility has demonstrated compliance with all provisions of the standard.</p>
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<b>115.72</b>	<b>Evidentiary standard for administrative investigations</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li>3. Administrative and Criminal PREA Investigative Case Files</li> <li>4. Interviews with: <ol style="list-style-type: none"> <li>a. OIC Institution Investigator and OIC Special Agent</li> </ol> </li> </ol> <p>115.72(a) TDOC Index 502.06.2 states, “The Department shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse are substantiated.” A review of the investigation documents indicates the Department does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse and/or sexual harassment are substantiated. Per interviews with the OIC Special Agent and OIC Institution Investigator a preponderance of evidence is the standard necessary to substantiate an administrative allegation of sexual abuse or sexual harassment and a probable cause is for criminal investigations.</p>

	<p>The review of 17 investigative case files supported the determination of the investigative findings was based on the preponderance of evidence collected.</p> <p>Based on the review of agency policy, documents, interviews and analysis, the facility has demonstrated compliance with this standard.</p>
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<b>115.73</b>	<b>Reporting to inmates</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li>3. TDOC PREA Status Notification CR-3984</li> <li>4. Interviews with: <ol style="list-style-type: none"> <li>a. OIC Institution Investigator and OIC Special Agent</li> <li>b. Warden</li> <li>c. Inmates Who Reported Sexual Abuse</li> </ol> </li> </ol> <p>115.73(a) TDOC Index 502.06.2 states following an investigation into an inmate’s allegation that he or she suffered sexual abuse in a facility, the Department shall inform the inmate in writing as to whether the allegation has been determined to be substantiated, unsubstantiated or unfounded. Interviews with the Office of Investigations and Conduct Investigators confirmed at the conclusion of each PREA investigation, the victim is notified of the investigative findings by staff assigned to the facility OIC Investigators. The PAQ identified the number of criminal and/or administrative investigations of inmate sexual abuse allegations completed by the agency/facility in the past 12 months as 15; however, one (1) remained pending completion. The Auditor randomly selected nine (9) for confirmation of investigative findings notifications to the inmates. Documentation supported each victim acknowledged via their signature receiving notification of the investigative finding. Interviews with four (4) inmates who reported sexual abuse acknowledged they were informed of the investigative findings by the facility investigative staff. Per an interview with the NECX Warden, and Facility Investigators, the Facility Investigators are assigned to inform the inmate population of the investigative findings.</p> <p>115.73 (b) The PAQ noted the agency requests relevant information from the outside investigative entity in order to inform the inmate of the outcome of the investigation for sexual abuse investigations. The PAQ also noted zero inmate sexual abuse in the</p>

facility was completed by an outside agency during the 12-month review period. The TDOC employs investigators assigned to the Office of Investigations and Conduct identified as OIC Special Agents and OIC Facility Investigators who are authorized to conduct both administrative and criminal investigations. Therefore, this provision is not applicable.

115.73(c) TDOC Index 502.06.2 states that following an inmate's allegation that a staff member has committed sexual abuse, the Department shall subsequently inform the inmate in writing whenever: the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at the facility; the staff member has been indicted on a charge related to sexual abuse within the facility; and the staff member has been convicted on a charge related to sexual abuse within the facility. The facility reported five staff on inmate sexual abuse allegations. One (1) was concluded as substantiated and four (4) were determined as unfounded. The review of the one (1) substantiated staff on inmate investigative case files identified the inmate was advised the following: The employee is no longer posted within the inmates' unit; the employee is no longer employed at the facility and later received notification of the staff member's indictment and conviction.

115.73(d) TDOC Index 502.06.2 indicates that following an investigation into an inmate's allegation that he or she suffered sexual abuse in a facility, the Department shall inform the inmate in writing: a) whenever the facility learns that an alleged abuser has been indicted on a charge related to sexual abuse within the facility; b) when the alleged abuser has been convicted on a charge related to sexual abuse within the facility. The facility reported two (2) substantiated staff on inmate sexual abuse investigation during the 12-month review period. Zero inmates were indicted and/or convicted. One (1) inmate was pending possible prosecution, however he passed prior to the submission.

115.73(e) TDOC Index 502.06.2 states that all notifications shall be done in writing using Inmate PREA Allegation Status Notification, CR-3984, and the inmate shall acknowledge by signature that he/she has received such notification. The notification shall become part of the allegation file. If the inmate refuses to sign the acknowledgement, an additional staff member shall sign and date acknowledging the inmate refusal. The PAQ noted the number of notifications to inmates that were provided pursuant to this standard as 22, however one (1) investigation remained pending. This number included sexual abuse and sexual harassment investigations. The Auditor requested 15 completed investigative case files for confirmation of the inmates' notification of the investigative findings and each was confirmed. Specifically, the inmates were noted as receiving the notification of the investigative findings via their signature.

Based on the review of agency policy, investigative case files, documentation of inmates' notification of the investigative findings, interviews and analysis, the facility has demonstrated compliance with this standard.

<b>115.76</b>	<b>Disciplinary sanctions for staff</b>
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**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Evidence Reviewed (documents, interviews, site review):

1. NECX Completed Pre-Audit Questionnaire (PAQ)
2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART
3. TDOC Employee Code of Conduct
4. PREA Investigative Case Files
5. Termination Notification/Court Documentation

115.76 (a) (b) (c) (d) TDOC Employee Code of Conduct states “An employee may not engage in, or allow another person to engage in, sexual activity with an inmate, probationer, or parolee, (hereby referred to as offenders). An employee may not encourage, threaten, or force an offender to have sexual relations with them or anyone else. There is no such thing as consensual sex between staff and offenders. The violation of this rule will result in disciplinary action up to and including termination and criminal prosecution.

TDOC Index 502.06.2 states staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse, sexual harassment, or PREA policies. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual touching only after conclusion of investigation. Sanctions 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. All terminations for violations of the Department’s sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies (unless the activity was clearly not criminal) and to any relevant licensing bodies.

One (1) TDOC staff were terminated and referred for criminal prosecution based on a substantiated staff on inmate sexual abuse investigation. Per the review of court documentation, the previous employee pleaded guilty to one count of sexual contact with an inmate and was placed on two (2) years’ probation. The referral to relevant licensing bodies for the staff identified in the substantiated investigation was not applicable.

Based on the review of agency policies, PREA investigative case files, documentation of staff discipline to include termination and criminal finding, the facility is compliant with all provisions of this standard.



**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Evidence Reviewed (documents, interviews, site review):

1. NECX Completed Pre-Audit Questionnaire (PAQ)
2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART
3. TDOC Index 115.01 Standards for Volunteers and Coordination of Community Involvement
4. TDOC Code of Conduct
5. PREA Investigative Case Files

6. Interview with:

a. Warden

115.77(a), (b) TDOC Employee Code of Conduct states “An employee may not engage in, or allow another person to engage in, sexual activity with an inmate, probationer, or parolee, (hereby referred to as offenders). An employee may not encourage, threaten, or force an offender to have sexual relations with them or anyone else. There is no such thing as consensual sex between staff and offenders. The violation of this rule will result in disciplinary action up to and including termination and criminal prosecution.

TDOC Index 502.06.2 states that any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies and if found to have engaged in sexual abuse or sexual harassment of an inmate shall be prohibited from further contact with any inmate.

TDOC Index 115.01 states that if after investigation it is necessary to limit the services of a volunteer, the approving authority shall notify the volunteer in writing of such action. The approving authority may restrict a volunteer to entering only the assigned TDOC location which shall be designated as the volunteer’s primary site.

The approving authority may terminate the services of a volunteer, and such termination shall apply to all institutions.

Per interview with the Warden, upon a volunteer and/or contract worker being identified as an aggressor in a sexual harassment and/or sexual abuse allegation, would be prohibited from all TDOC state property, and an investigation would be completed. Notification would immediately be made to the contracting agency of the contractor’s removal. The contracting agency would be responsible for reporting to the applicable contractors to their licensing bodies.

Per a review of the PAQ, and investigative case files, there were zero contractors and/or volunteers reported to law enforcement agencies and relevant licensing bodies for

	<p>engaging in sexual abuse of inmates. The review of the PREA investigative case files confirmed there were zero allegations of sexual abuse and/or sexual harassment reported against a contractor. The review identified one (1) allegation of sexual abuse reported against a volunteer. The investigative finding was determined as unfounded.</p> <p>Based on the review of agency policies, PREA case files, and interview, the facility is compliant with all provisions of this standard.</p>
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<b>115.78</b>	<b>Disciplinary sanctions for inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1.NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2.TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li>3.TDOC Index 502.05 Definitions of Disciplinary Offenses</li> <li>4. PREA Allegation Report Log</li> <li>5. PREA Investigative Case Files</li> <li>6. Interview with: <ol style="list-style-type: none"> <li>a. Warden</li> <li>b. Behavioral Health Administrator</li> </ol> </li> </ol> <p>115.78(a) TDOC Index 502.06 states, “Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Per the review of PREA Allegation Report Log and review of 17 of the 21 completed investigative case files, there were two (2) substantiated inmates on inmate sexual abuse and zero (0) inmate on inmate sexual harassment investigative findings during the review period. The PAQ noted one (1) criminal finding of guilt for inmate-on-inmate sexual abuse that have occurred at the facility. An indictment for the charge of sexual assault was referred for criminal prosecution for an inmate upon a substantiated sexual abuse investigation (no sexual penetration). However, the charges were dismissed by the courts due to the aggressor’s sudden death prior to court appearance. Therefore, the investigation and was closed administrative investigation.</p> <p>115.78(b) &amp; (c) TDOC Index 502.05 provides the definition of disciplinary offenses to include acts committed within the intent of the PREA standards in addition to allowable imposed sanctions. Disciplinary actions for the following are included: 1)</p>

Indecent Exposure (Class A; Rape (Class A); Sexual Battery (Class A); Sexual Harassment (Class B); Sexual Misconduct (Class B or C). TDOC Index 502.06.2 states that sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. The Warden confirmed an inmate's mental health is considered when imposing sanctions that includes the input from mental health staff to include the inmate's transfer to an environment that offers appropriate mental health services. Additionally, imposed disciplinary sanctions are proportionate to the nature and circumstances of the abuse committed and the inmates' disciplinary histories and similar imposed sanctions of others.

Documentation review of the PREA Allegation Report and review of inmate-on-inmate sexual abuse and sexual harassment investigations, confirmed two (2) inmates on inmate sexual abuse allegations was concluded as substantiated. One aggressor received in-house discipline for Assault on an Offender and received 12 - month package restriction and 30 days punitive time based on the substantiated sexual abuse investigation. A second aggressor received in-house discipline for Sexually Battery and Assault on an Offender. The aggressor was pending criminal indictment at the time of his sudden death. An additional inmate on inmate sexual abuse investigation remained pending throughout the post audit phase.

115.78(d) TDOC Index 502.06.2 states, If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. Per an interview with the Behavioral Health Administrator, the facility does not offer any sexual treatment programs but does offer one -on-one regular mental health treatment sessions. Inmates identified as sex offenders may be referred to a Sexual Offender Treatment Program at the TDOC DeBerry Special Needs Facility, however they have the option to decline as they are not required to participate.

115.78(e) TDOC Index 502.06.2 states an inmate may be disciplined for sexual contact with staff only upon finding that the staff member did not consent to such contact." The review of the one (1) substantiated staff on inmate sexual abuse investigation revealed the victim did not receive disciplinary sanctions for his involvement.

115.78(f) TDOC Index 502.06.2 states, "For the purpose of disciplinary action, a report sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if the investigation does not establish evidence sufficient to substantiate the allegation." The PREA case file review indicated of the eight (8) unfounded sexual abuse/sexual harassment investigative findings, zero inmates received disciplinary sanctions for falsely reporting an incident or lying while reporting and/or during an investigation during the 12-month review period.

115.78(g) TDOC Index 502.06.2 states, "Any prohibition on inmate-on-inmate sexual activity shall not consider consensual sexual activity to constitute sexual abuse." The

	<p>review of the investigative casefiles indicated zero inmates were identified per this provision during the 12-month review period.</p> <p>Based on a review of agency policies, PREA Allegation Report Log, PREA investigative case files, and interviews, the facility is compliant with all provisions of the standard.</p>
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<b>115.81</b>	<b>Medical and mental health screenings; history of sexual abuse</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims</li> <li>3. TDOC 113.84 Clinical Assessments, Mental Health Appraisals, and Psychological Testing</li> <li>4. Observation During Site Visit/Electronic Storage/ File Room Storage</li> <li>5. PREA Mental Health Referrals</li> <li>6. Interviews with: <ol style="list-style-type: none"> <li>a. Chief Counselor</li> <li>b. Behavioral Health Administrator</li> <li>c. Inmates Who Disclosed Prior Victimization During PREA Screening</li> </ol> </li> </ol> <p>115.81 (a) (b) (c) TDOC Index 502.06.3 states that, "If the screening process indicates that an inmate has experienced prior sexual victimization or has perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a referral to a medical and/or behavioral health provider within 14 days of the screening. TDOC Index 113.84 states that each mental health appraisal conducted as part of the initial classification or reclassification process shall be documented on Mental Health Intake Appraisal, CR-3772. The PAQ indicated that 481% of inmates that reported prior sexual victimization were offered a follow-up meeting with a mental health provider. This number was later identified correctly as 100% was referred for a follow-up meeting with a mental health provider. Specifically, 19 inmates reported prior sexual abuse during risk screening during the review. One hundred twenty-six inmates who were identified and/or reported as a prior aggressor of sexual victimization during risk screening was referred to a mental</p>

health provider. A total of 235 inmates were referred to the mental health department during the review period that included inmates with various mental health concerns.

Per an interview with the Chief Counselor, during the 72-hour risk screening process, the inmate's response to certain questions regarding their history of sexual victimization and that as an aggressor automatically creates a mental health referral. The inmates are often seen on the day of the referral and always within seven 7 days of the submitted referral This procedure was confirmed by the Behavioral Health Administrator while stating the inmates are always seen within 7 days and often on the day of the submitted referral.

The Auditor's randomly selected inmates through rosters identifying their risk screening score for confirmation of timely mental health referrals and completed evaluations. The selection included the following: prior history of sexual victimization =8; prior sexual victimization and at risk of being an aggressor = 3; prior sexual victimization and history as an aggressor = 1; prior history as an aggressor = 4; at risk of an aggressor = 4. The Auditors' review of each inmate's risk screening assessment identifying them as such, and the submitted mental health referral that also documented the date the inmate was evaluated by mental health supported the inmates were seen on the day of the submitted referral and not to exceed seven days of the submitted referral as noted on the TDOC Institutional Health Services Referrals (CR-3431). Interviews were conducted with four (4) inmates who reported prior sexual abuse/identified during the 72 - hour risk screening process. All reported they were referred and seen by mental health with a week of arrival at the NECX.

115.81(c) NECX is not a jail.

115.81(d) TDOC Index 502.06.3 indicates that any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and behavioral health practitioners and other staff, as necessary, to make informed treatment plans and security and management decisions, including housing, bed, work, education, and programs assignments, or as otherwise required by Federal, State, or local law. Per an interview with the Chief Counselor, the specific details related to sexual victimization or abusiveness is maintained in the Distribute App and within secured file cabinets within the unit management offices with limited access to authorized staff only. Staff have access to the identification of victims and abusers as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, that includes Counselors, and the NECX PREA Coordinator/Associate Warden Treatment. The Auditor was granted access to review the Distribute App that confirmed the electronic storage of inmate risk screening accessible to authorized staff through personal login

	<p>identification. Medical and mental health documentation is stored within secured medical files maintained in the medical department records office accessible to assigned staff. Limited information is stored electronically.</p> <p>115.81(e) TDOC Index 502.06.3 states that Medical and Behavioral Health providers shall obtain informed consent from inmates before reporting about prior sexual victimization that did not occur in the institutional setting. Additionally, interviews with both medical and mental health staff verified staff would obtain informed consent from inmates before reporting any knowledge or suspicion of sexual abuse that did not occur in a correctional setting. However, staff do have a mandatory duty to report. The facility does not house inmates under the age of 18 years.</p> <p>Based on a review of agency policies, mental health referrals, observation during site visit, confirmation of secure electronic storage, secure room storage areas, and timely completion of submitted mental health referral, interviews and analysis, the facility is compliant with all provisions of this standard.</p>
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<b>115.82</b>	<b>Access to emergency medical and mental health services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims</li> <li>3. TDOC Index 113.30 Administrative Policies and Procedures Access to Health Care</li> <li>4. National PREA Resource Center Specialized Training: PREA Medical and Mental Care Standards</li> <li>5. Protocol for Responding to PREA Related Reports</li> <li>6. Interviews with: <ol style="list-style-type: none"> <li>a. Behavioral Health Administrator</li> <li>b. Health Services Administrator</li> <li>c. Random Staff</li> </ol> </li> </ol>

d. Inmates Who Reported Sexual Abuse

115.82(a) TDOC Index 502.06.3 states 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 behavioral health providers, according to their professional judgment, in accordance with Policy #113.30. If no qualified medical or behavioral health providers are on duty at the time of a report or recent abuse is made, correctional officers are trained to render first aid as needed. Once the victim is safe and the scene is secure if medical attention is deemed necessary for stabilization, the security shift supervisor shall notify the medical member of SART or their Designee. Medical care should be limited to stabilizing the victim for transport. Medical and behavioral health providers shall follow operational protocols regarding evidence preservation. All inmates alleged to be victims of sexual abuse shall automatically be referred to behavioral health staff utilizing the referral process.

In accordance with TDOC Index 113.30, Inmates within the physical custody of the TDOC shall have timely access to the appropriate level of health care on a 24-hour a day basis. Health services shall be provided with respect to the inmate's autonomy and privacy, and without discrimination.

Behavioral Health and the Health Services staff are required to complete the training curriculum "Specialized Training: PREA Medical and Mental Health Care Standards Notification of Curriculum Utilization December 2013 presented by the National PREA Resource Center is utilized as the training curriculum for TDOC medical and mental health specialized training. The lesson plan consists of four (4) modules: Module 1 - Detecting and Assessing Sign of Sexual Abuse and Harassment; Module 2- Reporting and the PREA Standard; Module 3 - Effective and Professional Responses; Module 4 - The Medical Forensic Examination and Forensic Evidence Preservation. This training provides an agency policy that outlines medical and mental health services to be provided to victims of sexual abuse.

NECX also references the Protocol for Responding to PREA Related Reports that includes the following contents: a) Responding to Allegations of Sexual Abuse after Hours - Health Services Personnel Responsibilities; b) Responding to Allegations of Sexual Abuse after Hours - Shift OIC Responsibilities; c) PREA Allegation Procedure -Health Services Personnel Responsibilities; d) Responding to Allegations of Abuse - Shift OIC Responsibilities; e) Responding to PREA Related Reports - All Staff; f) Responding to PREA Sexual Abuse allegation Report; g) TDOC Sexual Abuse Incident Checklist

An interview with the NECX Health Services Administrator confirmed victims of sexual abuse receive timely, unimpeded access to emergency medical treatment. All victims are seen immediately upon being notified as medical staff are on duty 24/7 and are available to the inmate population. If the inmate alleges sexual abuse, medical staff will only provide emergency care without disturbing any physical evidence. Services provided are within policy and upon the inmate return to the facility, medical staff would follow the recommendations made by the SANE/SAFE and/or attending doctor

at the local hospital and the facility doctor. He further stated the staff utilizes their professional judgment within policy laws when determining appropriate medical treatment.

An interview with the Behavioral Health Administrator indicated the victim is seen as soon as possible after a reported sexual abuse allegation for crisis intervention services. Behavioral Health staff are normally scheduled Monday – Friday, however they are scheduled for on-call duty and report to the facility as needed. Victims of sexual abuse are normally seen within 24 hours of the reported allegation and at the latest are seen the following workday. He further stated the nature of scope of services provided are based on staff professional judgement in determining a treatment plan. Interviews with four (4) inmates identified in reported sexual abuse investigations, confirmed they were immediately seen by medical and mental health staff.

115.82(b) TDOC Index 502.06.3 states, “If no qualified medical staff are on duty at the time of a report of a recent abuse is made, a correctional officer trained to render first aid may help as needed”. Medical staff are on duty 24/7 daily at NECX and medical services are provided as needed. All staff selected for interviews were aware that medical staff would be notified of reported PREA allegations and response immediately. Their description of actions taken include notifying the Shift Commander who would notify medical staff and the inmate would be escorted to the medical department. The review of the sexual abuse investigations confirmed the applicable inmates were offered both medical services at the initiation of the sexual abuse investigation and mental health services on the day of reported allegation not to exceed three (3) days of being reported. One inmate identified in a sexual act substantiated sexual abuse investigation was examined by medical staff immediately following the report but was returned to his designated facility within 24 hours of the report. Therefore, mental health services were scheduled to be provided upon his arrival.

115.82(c) TDOC Index 502.06.3 indicates that inmate victims of sexual abuse, while incarcerated, shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. NECX is designated as a male only facility, therefore access to emergency contraception is not applicable. However, according to the Health Services Administrator, victims of sexual abuse would be offered testing for sexually transmitted infections to include HIV, STD and Hepatitis in addition to follow up testing through lab work and medication as needed. The review of an ongoing sexual abuse investigative case file confirmed one (1) was transported to an outside medical facility for a forensic medical examination. Per the Behavioral Health Administrator, the victim would be seen on the day of the reported allegation not to exceed four days. Documentation of applicable medical treatment to include forensic examination by the SANE at the local hospital in addition to NECX medical staff was presented for review by the Auditor. The review also identified one (1) inmate refusal for both medical and mental health services.



	<p>115.82(d) TDOC Index 502.06.3 indicates that treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with the investigation. Interviews with the Health Services Administrator and Behavioral Health Administrator confirmed the inmate population does not incur any financial obligations for the treatment of services to include those provided within the facility and/or at the local hospital.</p> <p>Based on the review of agency policies, documentation, sexual abuse investigative case files, interviews and analysis, the facility is compliant with all provisions of this standard.</p>
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<b>115.83</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.03 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims</li> <li>3 TDOC Index #113.30 Administrative Policies and Procedures Access To Health Care</li> <li>4. National PREA Resource Center Specialized Training: PREA Medical and Mental Care Standards</li> <li>5. TDOC Index #113.42 Communicable Diseases</li> <li>6. TDOC PREA Training Specialized for Medical and Mental Health Professionals Student Manual</li> <li>7. Medical/Mental Health Logs</li> <li>8. Interviews with:       <ol style="list-style-type: none"> <li>a. Health Services Administrator (HSA)</li> <li>b. Behavioral Health Administrator (BHA)</li> <li>c. Inmates who reported sexual assault/abuse</li> </ol> </li> </ol> <p>115.83(a) TDOC Index 502.06.3 and TDOC Index #113.30 addresses the</p>

requirements of this standard. Pursuant to TDOC Index 502.06.3 the facility shall offer medical and behavioral health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lock-up or juvenile facility. The policy outlines services required in the event of sexual abuse.

TDOC Index #113.30 states Inmates within the physical custody of TDOC shall have timely access to the appropriate level of health care on a 24-hour a day basis. Health services shall be provided with respect to the inmate's autonomy and privacy, and without discrimination. The Health Administrator shall generate institutional written procedures to ensure the routine and emergency health care services are accessible to all inmates in a timely manner.

Additionally, both medical and mental health completes the Specialized Training: PREA Medical and Mental Care Standard Course Training presented through the National PREA Resource Center that provides aid in responding to sexual abuse victims. The staff also completed the TDOC PREA Training Specialized for Medical and Mental Health Professionals Student Manual, medical and mental health staff completed the Instructor's Curriculum Guide and Lesson Plans December 2013 Specialized Training PREA Medical, and Mental Care Standards presented by the National PREA Resource Center that meets the standard provisions. A copy of the lesson plan was presented for review by the Auditor. This lesson plan covers four (4) modules identified as the following: Module 1- Detecting and Assessing Signs of Sexual Abuse and Sexual Harassment; Module 2 - Reporting; Module 3 - Effective and Professional Responses; Module 4 - The Medical Forensic Examination and Evidence Preservation.

Interviews with four (4) inmates who reported sexual abuse allegations confirmed they were seen by medical staff immediately upon reporting and seen by mental health staff on the day of the reported allegation and/or within four days of reporting. The Auditor randomly selected 10 sexual abuse investigative case files for confirmation of appropriate medical and mental health services per the standard. The review confirmed three (3) inmates refused both medical and mental services. The remaining seven (7) inmates were documented as receiving medical treatment immediately and/or within 24 hours of reporting. Mental health treatment was documented as provided on the day of the reported allegation and/or not to exceed seven (7) days of reporting.

115.83(b) TDOC Index 502.06.3 indicates that the evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans and when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody. TDOC facilities offer follow-up services within the correctional facilities. Per interviews with both the Behavioral Health Administrator and Health Services Administrator, victims of sexual abuse would be offered follow-up services throughout their assignment at the facility and transfer to other TDOC facilities. Upon an inmate's release from TDOC custody into the community, Case Managers within each department arrange for continued treatment services within the inmate's release area. The Case Managers maintain a listing of agencies and available services within each county throughout the state of Tennessee

to arrange the appropriate treatment services and the inmates are seen within 24 hours of release from TDOC custody.

115.83(c) TDOC 502.06.3 indicates the facility shall provide such victims with medical and behavioral health services consistent with the community level of care. An interview with the BHA and HSA indicated the level of care provided to the inmate population is nothing less than that of an equal level of care to those individuals within the community. Per the BHA staff provide more one on one interaction when providing services with the inmate population.

115.83(d) & (e) NECX houses male inmates. Therefore, provisions d and e are not applicable.

115.83(f) TDOC 502.06.3 states inmate victims of sexual abuse, while incarcerated, shall be offered tests for sexually transmitted infections and sexually transmitted infections prophylaxis in accordance with professionally accepted standards of care. Per TDOC Index 113.42, inmates who are reported as contacts to the infected case will be located and provided confidential examination and treatment, as appropriate. Per the PREA Allegation Report and interview with NECX Investigator, there were 15 reported allegations of sexual abuse. Three (3) sexual abuse investigations were concluded as substantiated; however, two (2) did not identify sexual penetration. One (1) staff member on inmate substantiated sexual abuse investigation concluded sexual penetration; however, the victim refused all medical and mental health services. One (1) pending inmate-on-inmate sexual abuse allegation reported sexual penetration. The victim was transferred to a local hospital to receive a forensic medical examination upon reporting sexual penetration. Documentation of tests for sexually transmitted infections and treatment administered at the local hospital and applicable services at NECX was presented for review.

115.83(g) TDOC Index 502.06.3 states treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Per the BHA and HSA, the victim would not suffer any financial cost for treatment services. The Auditor randomly selected 10 for review of appropriate medical and mental services issued upon reporting sexual abuse. Per the PAQ and review of the sexual abuse investigative case files, one (1) inmate was transferred to the local hospital for a forensic medical examination. Medical and mental health services were offered and/or provided for each of the 10 selected inmates by NECX medical and mental health staff. Zero inmates were held responsible for the financial cost of services rendered.

115.83(h) TDOC Index 502.06.3 states all facilities shall attempt to conduct a behavioral health evaluation of all known inmate-on-inmate abusers within 14 days of learning of such abuse history. They shall be offered treatment when deemed appropriate by behavioral health providers. An interview with the BHA, inmates identified as an aggressor are seen as soon as the day of the completed investigation and always within four (4) days as confirmed during the review of the two (2) substantiated inmates on inmate sexual abuse investigations. The BHA indicated the inmates have the option of accepting services. A staff member was identified as the

	<p>aggressor for one (1) substantiated sexual abuse investigation.</p> <p>Based on the review of policies, investigative case files, medical and mental health documentation, interviews and analysis, the facility is compliant with all provisions of this standard.</p>
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<b>115.86 Sexual abuse incident reviews</b>	
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART</li> <li>3. NECX Sexual Abuse Incident Review Reports</li> <li>4. Interviews with: <ol style="list-style-type: none"> <li>a. Warden</li> <li>b. NECX PREA Compliance Manager</li> <li>c. NECX PREA Coordinator/Incident Review Team Member</li> </ol> </li> </ol> <p>115.86 (a)(b)(c) TDOC 502.06.2 states, the facility shall conduct a Sexual Abuse Incident Review Report, CR-3985, at the conclusion of every sexual abuse investigation, including investigations in which the allegation has not been determined as substantiated, unless the allegation has been determined to be unfounded. Such reviews shall ordinarily occur within 30 days of the conclusion of the investigation. The review team shall include the Warden/Superintendent/designee, Associate Warden of Treatment/Deputy Superintendent/Assistant Warden at privately managed facilities, facility and OIC Institution Investigator, line supervisor, and medical/mental health professionals. These individuals are members of the Sexual Assault Response Team (SART) whom duties include but not limited to meeting monthly to discuss and review substantiated and unsubstantiated sexual abuse cases.</p> <p>The PAQ noted nine (9) criminal and/or administrative investigations of alleged sexual abuse completed during the 12-month review period that were followed by a sexual abuse incident review within 30 days, excluding only unfounded incidents. This number was later identified correctly as five (5) investigations were identified as sexual harassment and not sexual abuse. Specifically, during the 12-month review period, there were three (3) substantiated and two (2) unsubstantiated sexual abuse investigative findings. Documentation supports that an incident review was</p>

completed within 30 days for four (4) of the investigative findings and one (1) was completed on the 31st day of the investigative findings, (Monday upon returning from scheduled weekend off). Staff acknowledged the mistake of conducting the one (1) incident review on the 31st day rather than within 30 days and there were no further incident reviews conducted outside of the required 30-day review. The incident Reviews were documented as completed by members of the Sexual Assault Response Team (SART) that included to the following positions: NECX PREA Compliance Manager, NECX Facility Investigator; Mental Health Professional; Medical Professional, and NECX PREA Coordinator/Associate Warden, the SART members utilized input from the Line Supervisor statements during two incident reviews as noted by a submitted memorandum.

115.86(d) (e) TDOC 502.06.2 requires that the team a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; b) Consider whether the incident or allegation was motivated by race, ethnicity, gender identity, gay, bisexual, transgender, or intersex identification, status, or perceived status, gang affiliation, or other group dynamics at the facility; c) Examine the area within the facility or facility grounds where the incident allegedly occurred to assess whether in the area may enable abuse; d) Assess the adequacy of staffing levels in that area during different shifts; e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; f) Prepare a report of its findings, including but not limited to, determinations made in accordance with (a-c) and any recommendations for improvement and submit such report to the Warden/Superintendent.

The NECX PREA Coordinator/Associate Warden of Treatment also serves as a member of the Incident Review team. He indicated applicable Incident Reviews are scheduled monthly during the monthly SART meetings and are always completed within 30 days of a substantiated and/or unsubstantiated sexual abuse investigation. The review team reviews the information collected throughout the investigation to determine any factors that could have contributed to the reported allegation. During the meeting, the team review/discuss the area in which the incident was reported to have occurred to ensure no barriers exist that could have contributed to the act, the need of mirror and/or camera installation, whether staff were in the proper performance of their duties assigned. Camera and mirror placement have been installed based on various incident reviews conducted.

The Auditor reviewed the sexual abuse Incident Review reports for the substantiated and unsubstantiated investigative findings that confirmed the SART members documented their assessment review in monitoring technology, review of the area in the facility where the incident allegedly occurred to assess whether physical barriers to the area that may have enable abuse, video monitoring capabilities and/or need of, adequacy of staffing levels in that area during different shift, whether the allegations or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse, and/or consider whether the incident or allegation was motivated by race, ethnicity, gender identity, LGBT identification, status or perceived status, or gang affiliation, or was motivated or caused by other group dynamics of the facility may have enabled the abuse.

	<p>Per the Warden, the facility’s Incident Review Team is composed of members of the facility’s Sexual Abuse Response Team who meets monthly to discuss and review all substantiated and unsubstantiated sexual abuse investigations within 30 days of the completed investigation. The SART does consist of supervisory staff as outlined within the standard. The SART make an effort to determine any factors that could have contributed to the act, and possible recommendations and necessary changes that could be implemented to prevent further actions to include staffing level, and the installation of additional cameras, and mirrors.</p> <p>Per the NECX PREA Compliance Manager she is also a member of the SART and as such she is a member of the Incident Review Committee where the reviews are scheduled monthly. Each review includes a discussion of circumstances noted in the investigative report, all circumstances that could contributed to the reported allegation, any contributions factors to the occurrence, and a consideration of recommendation to prevent further actions.</p> <p>Based on the review of policies, incident reviews, interviews and analysis, the facility is compliant with all provisions of this standard.</p>
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<b>115.87</b>	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06 PREA Implementation, Education, and Compliance</li> <li>3. 2021 - 2022 Annual SSV PREA Report</li> <li>4. 2022 SVV Documentation for Private Contract Facilities</li> <li>5. Department of Justice Requested Submission</li> <li>6. Interview: <ol style="list-style-type: none"> <li>a. TDOC State-wide PREA Coordinator</li> </ol> </li> </ol> <p>115.87(a) TDOC Index 502.06 states that staff shall collect accurate uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions. TDOC shall aggregate the incident-based sexual abuse data at least annually. Per an interview with the State-wide-PREA Coordinator, data is collected by the Decision Support: Research and Planning Development Department using the Department of Justice annual reporting format and the set definitions identified in TDOC Index #502.06.</p>

115.87(b) TDOC Index 502.06 indicates that the TDOC shall aggregate the incident-based sexual abuse data at least annually. The State-wide-PREA Coordinator shall ensure that data collected is securely retained. The State-wide-PREA Coordinator shall review data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training.

115.87(c) The State-wide PREA Coordinator provided a copy of their most recent SSV report that demonstrated that the data collected by the Facility is at least sufficient to answer all questions on the survey conducted by the Department of Justice, the Survey of Sexual Violence.

115.87(d) TDOC Index 502.06 states, that TDOC shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigative files, and sexual abuse incident reviews.

115.87(e) TDOC Index 502.06 states, State-wide-PREA Coordinator shall ensure that data collected is securely retained. TDOC shall make all aggregated sexual abuse data, from TDOC facilities and private facilities with which it contracts, readily available to the public at least annually through the TDOC website. Copies of SVV reports to include substantiated sexual abuse allegations within private contracted facilities were submitted for review.

115.87(f) TDOC 502.06 indicates that a report prepared by the State-wide-PREA Coordinator shall be prepared utilizing the Department of Justice annual format. The Auditor was provided a copy of the 2022 SSV-2 that supported the report and was submitted timely to the Department of Justice as dated October 6, 2022. Per the State-wide PREA Coordinator, the most recent request for data from the Department of Justice was received on October 17, 2023. The report was submitted on November 4, 2023. Confirmation of the SSV Submission Verification to the Department of Justice was provided.

Based on the review of policies, incident reviews, interviews and analysis, the facility is compliant with all provisions of this standard.

<b>115.88</b>	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Evidence Reviewed (documents, interviews, site review):
	1. NECX Completed Pre-Audit Questionnaire (PAQ)
	2. TDOC Index 502.06 PREA Implementation, Education, and Compliance
	3. TDOC Agency Website

4. 2021 - 2022 Annual PREA Report

5. Interviews with:

a. TDOC State-wide PREA Coordinator

b. Agency Head Designee

c. NECX PREA Compliance Manger

115.88(a) (b) (c) (d) TDOC Index 502.06 addresses the requirement of this standard. The Directive indicates that TDOC staff shall aggregate incident-based sexual abuse data annually. Maintain review and collect data as needed from all available incident-based documents, including reports, investigative files, and sexual abuse incident reviews. Ensure that all aggregated sexual abuse data is included in an annual report that includes an assessment of the Department's sexual abuse prevention, detection, and response policies, practices, and training; If applicable, identifies Department-wide problem areas or problems within specific correctional facilities; Is used to facilitate corrective action at the Department and correctional facility levels; compares the current calendar year's data and activities with that available from previous years; Assesses the Department's progress in addressing sexual abuse; and is approved by the Commissioner and made readily available to the public through the Department's website. Personal identifiers shall be removed prior to the data being made publicly available.

Per an interview with the Agency Head Designee, the agency does use the incident-based sexual abuse data to assess and improve sexual abuse prevention, detection, and response policies, practices, and training. As incidents are reported and investigated, trends are identified (i.e. regarding the time, location, staff involved etc.). As the trends are identified, processes and policies are refined to ensure the adequate addressing of any issues found. If there is a deficiency noted that can be corrected with additional training, it is arranged. If there is an issue that needs to be clarified, a memorandum of instruction is issued. The retaliation monitoring that staff conduct for victims and staff reporters was born out of trends observed. The Annual PREA Report is prepared by the TDOC State-wide PREA Coordinator and submitted through the Director of Compliance for the Commissioner's review and approval. Once approved, the report is posted on the TDOC agency website.

Per the NECX PREA Compliance Manager, the agency does review data collected and aggregated pursuant to 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detections, and response policies, and training. As the facility PREA Compliance Manager she is responsible for compiling and submitting accurate information to the TDOC State-wide PREA Coordinator upon request for inclusion.

The TDOC State-wide PREA Coordinator confirmed the agency does review data collected and aggregated pursuant to standard 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training. When the data shows that corrective action measures are needed,



	<p>immediate actions are taken to ensure PREA compliance and the safety of staff and offenders. He completes an Annual Report that is submitted to the Commissioner for review. Once the Commissioner reviews and approves the report, it is posted on the agency's public website. Typically, the agency's Annual Reports does not contain sensitive information that needs to be redacted, as such information is excluded and would not be included in the report.</p> <p>The Auditor reviewed the agency's website and verified that the 2021 - 2022 Annual Report was signed by the Interim Commissioner and published and made available to the public. The Annual Report included a comparison of 2020 -2021 and 2021 - 2022. The report was dated October 6, 2022. The report is well written and addresses the requirement of this standard.</p> <p>Based on a review of policy, website, Annual Report, interviews and analysis, the agency is compliant with all provisions of this standard.</p>
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<b>115.89</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> <li>1. NECX Completed Pre-Audit Questionnaire (PAQ)</li> <li>2. TDOC Index 502.06 PREA Implementation, Education, and Compliance</li> <li>3. TDOC Agency Website</li> <li>4. TDOC 2021 - 2022 Annual PREA Report</li> <li>5. Interview with: <ol style="list-style-type: none"> <li>a. TDOC State-wide PREA Coordinator</li> </ol> </li> </ol> <p>115.89 (a) (b) (c) (d) TDOC Index 502.06 governs the mandate of the standard. The directive indicates the TDOC PREA Coordinator shall ensure that data collected is securely retained. The TDOC is responsible for completing an Annual Report and when approved by the Commissioner it is made available to the public through the Department's public website. The report should redact information that would present a clear and specific threat to the safety and security of a prison before publication indicating the nature of the redacted information and related personal identifiers shall be removed prior to being made public. Securely maintain incident-based and aggregate data ensuring only authorized personnel have access to the information. The TDOC State-wide PREA Coordinator shall maintain sexual abuse data for at least 10 years after the date of the initial collection.</p>

	<p>Per an interview with the PREA Correctional Program Director II, data is securely maintained for at least 10 years in a computerized system and accessible to authorized staff only. The Auditor reviewed the TDOC website at <a href="https://www.tn.gov/correction/sp/prison-rape-elimination-act.html">https://www.tn.gov/correction/sp/prison-rape-elimination-act.html</a> and confirmed the publishing of the 2021 - 2022 Annual Report was accessible for viewing by the public. Personal identifiers were excluded from the report.</p> <p>Based on the review of policy, TDOC agency website, 2021- 2022 Annual Report, staff interview and analysis, the TDOC agency and facility is compliant with all provisions of this standard.</p>
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<b>115.401</b>	<b>Frequency and scope of audits</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>TDOC Index 502.06 PREA Implementation, Education, and Compliance was reviewed and meets the requirement of this standard. The directive requires the PREA Coordinator to ensure that Department PREA-related activities comply with federal PREA standards in the following areas, Audits, and Auditing and corrective action. This is the second year of the fourth audit cycle for NECX. The Agency oversees 11 facilities and the agency website posted each of the facility’s PREA audit reports posted for all facilities during the past audit cycle. The Auditor was provided with all requested documentation to include extensive files throughout the audit process to support a conclusion of compliance with PREA the standards. The documentation review included a sufficient sampling based on the size of the facility of case records, training records, investigative reports, medical and mental health documentation, housing assignment, and additional program information and documents. The Auditor conducted an excess of the required number of staff and inmates based on the population and all were knowledgeable of the agency’s zero tolerance of sexual abuse and how to report to include staff and inmates assigned to the NECX. Additionally, the Auditor was given full access to tour all areas through the Complex while being provided with private offices to conduct interviews with staff and the inmate population in addition to the review of requested documentation.</p> <p>Confirmation of the Audit Notice posting was verified as posted January 4, 2024, as by photographs presented to the Auditor. Inmates confirmed their observation of the notice of audit posted throughout the institution that noted the procedure to submit confidential correspondence to the Auditor. Per an interview with the mailroom staff, inmates were allowed to forward confidential correspondence to the Auditor in the same manner as mail addressed to legal counselor. The Auditor received three (3) written correspondences from the inmate population, and each was chosen during the random inmate interview selection. Their concerns were regarding their PREA risk screening scoring that resulted in cell assigned based on their history. There was no additional request by staff or inmate to be interviewed</p>

	by the Auditor during the site visit.
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<b>115.403</b>	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Per TDOC directives and standard requirements, TDOC ensures all final reports will be published on the agency’s website accessible for viewing to the public. A review of the TDOC’s website at <a href="http://www.tn.gov/correction/sp/prisonrape-elimination-act.html">www.tn.gov/correction/sp/prisonrape-elimination-act.html</a> contained the final 15 previous PREA reports completed for TDOC to include four (4) contract facilities. Final reports were published on the agency website within 90 days of issuance to include those facilities that are contracted by the TDOC. Based on the above, the facility has demonstrated substantial compliance with this standard.</p>

<b>Appendix: Provision Findings</b>		
<b>115.11 (a)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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
<b>115.11 (b)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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
<b>115.11 (c)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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
<b>115.12 (a)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	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
<b>115.12 (b)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	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.)	
<b>115.13 (a)</b>	<b>Supervision and monitoring</b>	
	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
<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	na
<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	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
<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	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

<b>115.14 (a)</b>	<b>Youthful inmates</b>	
	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
<b>115.14 (b)</b>	<b>Youthful inmates</b>	
	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
<b>115.14 (c)</b>	<b>Youthful inmates</b>	
	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
<b>115.15 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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.)	
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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



<b>115.16 (a)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.16 (b)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.17 (a)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (b)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (c)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

<b>115.17 (e)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	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
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	

	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
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	na
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	na
<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	

	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
<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	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
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	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
<b>115.31 (a)</b>	<b>Employee training</b>	
	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
<b>115.31 (b)</b>	<b>Employee training</b>	
	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
<b>115.31 (c)</b>	<b>Employee training</b>	
	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
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<b>Volunteer and contractor training</b>	



	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
<b>115.32 (b)</b>	<b>Volunteer and contractor training</b>	
	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
<b>115.32 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.33 (a)</b>	<b>Inmate education</b>	
	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
<b>115.33 (b)</b>	<b>Inmate education</b>	
	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
<b>115.33 (c)</b>	<b>Inmate education</b>	
	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
<b>115.33 (d)</b>	<b>Inmate education</b>	
	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
<b>115.33 (e)</b>	<b>Inmate education</b>	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
<b>115.33 (f)</b>	<b>Inmate education</b>	
	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
<b>115.34 (a)</b>	<b>Specialized training: Investigations</b>	
	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
<b>115.34 (b)</b>	<b>Specialized training: Investigations</b>	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and	yes

	Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.34 (c)</b>	<b>Specialized training: Investigations</b>	
	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
<b>115.35 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	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.)	
<b>115.35 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	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.)	na
<b>115.35 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	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
<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	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
<b>115.41 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
<b>115.41 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective	yes

	screening instrument?	
<b>115.41 (d)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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?	
<b>115.41 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (i)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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?	
<b>115.42 (a) Use of screening information</b>		
	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
<b>115.42 (b) Use of screening information</b>		
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
<b>115.42 (c) Use of screening information</b>		
	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?	
<b>115.42 (d)</b>	<b>Use of screening information</b>	
	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
<b>115.42 (e)</b>	<b>Use of screening information</b>	
	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
<b>115.42 (f)</b>	<b>Use of screening information</b>	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
<b>115.42 (g)</b>	<b>Use of screening information</b>	
	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.)	
<b>115.43 (a)</b>	<b>Protective Custody</b>	
	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
<b>115.43 (b)</b>	<b>Protective Custody</b>	
	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.)	na
	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.)	na
	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.)	na
<b>115.43 (c)</b>	<b>Protective Custody</b>	

	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
<b>115.43 (d) Protective Custody</b>		
	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
<b>115.43 (e) Protective Custody</b>		
	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
<b>115.51 (a) Inmate reporting</b>		
	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
<b>115.51 (b) Inmate reporting</b>		
	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
<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	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
<b>115.51 (d)</b>	<b>Inmate reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	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.	no
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (f)</b>	<b>Exhaustion of administrative remedies</b>	

	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
<b>115.52 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.53 (a)</b>	<b>Inmate access to outside confidential support services</b>	
	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
<b>115.53 (b)</b>	<b>Inmate access to outside confidential support services</b>	
	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
<b>115.53 (c)</b>	<b>Inmate access to outside confidential support services</b>	
	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
<b>115.54 (a)</b>	<b>Third-party reporting</b>	
	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
<b>115.61 (a)</b>	<b>Staff and agency reporting duties</b>	
	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?	
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (c)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (d)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	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
<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	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
<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
<b>115.64 (a)</b>	<b>Staff first responder duties</b>	
	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
<b>115.64 (b)</b>	<b>Staff first responder duties</b>	
	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
<b>115.65 (a)</b>	<b>Coordinated response</b>	
	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?	
<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	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
<b>115.67 (a)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.67 (b)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.67 (c)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.67 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	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
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.71 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	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
<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	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

<b>115.73 (b)</b>	<b>Reporting to inmates</b>	
	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
<b>115.73 (c)</b>	<b>Reporting to inmates</b>	
	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
<b>115.73 (d)</b>	<b>Reporting to inmates</b>	
	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?	
<b>115.73 (e)</b>	<b>Reporting to inmates</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.76 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.76 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	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
<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	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
<b>115.77 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	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
<b>115.77 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	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
<b>115.78 (a)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (b)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (c)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (d)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	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?	
<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, 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
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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?	
<b>115.82 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.82 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse</b>	

	<b>victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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

<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	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
<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	
	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
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

<b>115.87 (a)</b>	<b>Data collection</b>	
	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
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.87 (c)</b>	<b>Data collection</b>	
	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
<b>115.87 (d)</b>	<b>Data collection</b>	
	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
<b>115.87 (e)</b>	<b>Data collection</b>	
	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
<b>115.87 (f)</b>	<b>Data collection</b>	
	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.)	yes
<b>115.88 (a)</b>	<b>Data review for corrective action</b>	
	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?	
<b>115.88 (b)</b>	<b>Data review for corrective action</b>	
	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
<b>115.88 (c)</b>	<b>Data review for corrective action</b>	
	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
<b>115.88 (d)</b>	<b>Data review for corrective action</b>	
	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
<b>115.89 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	
	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
<b>115.89 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.89 (d)</b>	<b>Data storage, publication, and destruction</b>	
	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
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	

	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
<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	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
<b>115.401 (h)</b>	<b>Frequency and scope of audits</b>	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
<b>115.401 (i)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
<b>115.401 (m)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	
	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
<b>115.403</b>	<b>Audit contents and findings</b>	

<b>(f)</b>		
	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