

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

Interim Final Report

Auditor Information

Auditor name: Rodney P. Bivens
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Telephone number: 865-659-2424
Date of facility visit: February 29 - March 2, 2016 **Follow up visit on:** April 6, 2016
Date report submitted: May 2, 2016

Facility Information

Name of facility: Northwest Correctional Complex
Physical address: 960 State Route 212, Tiptonville, TN 38079
Facility mailing address: N/A
(if different from above)
Telephone number: 731-253-5000

The facility is:

<input type="checkbox"/> Military	<input type="checkbox"/> County	<input type="checkbox"/> Federal
<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> State
<input type="checkbox"/> Private not for profit		

Facility Type: Jail Prison

Name of facility's Chief Executive Officer: Michael W. Parris **Title:** Warden

Number of staff assigned to the facility in the last 12 months: 637

Designed facility capacity: 2425

Current population of facility: 2314

Facility security levels/inmate custody levels: Level II Security/Minimum Trustee to Medium Custody

Age range of the population: 16-84

Name of PREA Compliance Manager: Jason W. Tittle **Title:** Compliance Manager

Email address: Jason.W.Tittle@tn.gov **Telephone number:** 731-253-5113

Agency Information

Name of agency: Tennessee Department of Correction

Governing authority or parent agency: *(if applicable)* State of Tennessee

Physical address: Rachel Jackson Building

Mailing address: *(if different from above)* 320 Sixth Avenue North, Nashville, TN 37243

Telephone number: 615-741-1000

Agency Chief Executive Officer

Name: Derrick Schofield **Title:** Commissioner

Email address: Derrick.D.Schofield@tn.gov **Telephone number:** 615-253-8139

Agency-Wide PREA Coordinator

Name: Tom Joplin	Title:	Statewide PREA Coordinator
Email address: Tom.A.Joplin@tn.gov	Telephone number:	615-879-6431

AUDIT FINDINGS

NARRATIVE:

The onsite PREA audit of the Tennessee Department of Corrections - Northwest Correctional Complex in Tiptonville, Tennessee was conducted February 29 - March 2, 2016, by Department of Justice Certified PREA Auditor Rodney P. Bivens, assisted by Brian D. Bivens who has completed the Department of Justice PREA auditor certification class and is awaiting final certification. The onsite audit included a minimum security unit located onsite outside the secure perimeter.

The auditor wishes to extend his deepest appreciation to Warden Michael Parris and his staff for their professionalism, hospitality, and kindness. The auditor also wishes to compliment the Tennessee Department of Corrections PREA Coordinator Tom Joplin and the facility PREA Compliance Manager Jason Tittle for their outstanding work in organizing the files that were provided to the auditor in advance of the audit. This enabled the audit to move forward very efficiently.

Prior to this audit the facility provided to the auditor all policies, procedures, and facility documentation related to each standard for review. The auditor, PREA Coordinator, and the PREA Manager had ongoing communication for several weeks prior to the audit to prepare for the on-site visit. The facility supplied a list of inmate names sorted by housing units, disabilities, and special designations, as well as a list of facility staff names to the auditor. The sampling size for both inmates and staff was elevated to ensure consistency in training and implementation of the PREA standards. The sampling size for inmates included at least one inmate from each individualized housing unit pod. This decision was made to ensure all inmates throughout the facility were receiving the same information and education related to all aspects of the PREA program.

The on-site audit began with an entrance meeting being conducted on Monday, February 29, 2016 at 8:20 a.m. in the Warden's office. The following staff attended the entrance meeting:

Warden Michael Parris
 Jason Tittle, Facility PREA Manager
 Tom Joplin, Statewide PREA Coordinator

Following the entrance meeting, the auditor conducted a comprehensive site review that began at approximately 8:40 a.m. and continued throughout the three days. During the site review the auditor reviewed camera placement, blind spots, staff placement and documentation to assist in determining standard compliance. While touring the facilities the auditor observed the notices

of this PREA audit in all the buildings, as well as posters that called attention to the agency's Zero Tolerance Policy and how to report allegations of sexual abuse and sexual harassment. Random staff and inmate interviews were conducted in private offices provided at each housing unit during the site review as well. The following staff accompanied the auditor on the site review:

Jason Tittle, Facility PREA Manager
Tom Joplin, Statewide PREA Coordinator

All housing units, day rooms, inmate program areas, work areas and all other inmate accessible areas were toured during the site review. While touring several inmates and staff were questioned about their knowledge of PREA standards, procedures for reporting, services available and their responsibilities. All staff and inmates informally interviewed during the tour acknowledged receiving training and procedures for reporting sexual abuse, sexual harassment and/or retaliation for reporting.

A total of 72 staff members were interviewed during the course of this audit. Staff interviews consisted of: 26 randomly selected correctional security staff members covering all facilities and all shifts, 2 volunteers, 5 contract employees, 4 intermediate or higher level supervisors, 20 specialized staff members, and 15 employees informally selected during the facility tour. All staff interviewed were well versed in their respective areas of responsibility regarding PREA and affirmed compliance with the applicable PREA standards. There is no SAFE or SANE staff at the facility; they are made available at the Jackson General Hospital in Jackson, Tennessee. Staff interviewed were well versed in their responsibilities in reporting sexual abuse, sexual harassment, staff negligence and retaliation for reporting. When questioned about evidence preservation, all staff responses reflected knowledge of agency policies and procedures.

There were 59 inmates interviewed during the on-site visit. These inmates consisted of: 48 inmates selected at random and 11 informally selected during the facility tour. There were 24 of the 48 inmates selected at random requiring specialized interviews broken down as follows: 5 limited English proficient, 1 low vision, 1 hard of hearing, 2 LBGTI, 5 inmates that had reported being sexually harassed, 1 that reported being sexually abused, and 9 youthful inmates. All of the Inmates interviewed acknowledged receiving PREA training and written materials (posters, pamphlets, and inmate handbooks) outlining the agencies zero tolerance policies towards sexual abuse, sexual harassment, and retaliation for reporting, as well as the procedures for reporting. The inmates with disabilities and the limited English proficient inmates interviewed confirmed receiving the PREA training and written materials in languages they could understand as well. All inmates interviewed felt if they had to file a PREA complaint the facility would respond appropriately to their complaint and that all PREA complaints are taken very serious by staff at this facility.

The auditor selected and carefully examined 6 personnel files, 8 staff training files, and 5 volunteer files. The personnel and volunteer files were very well organized and contained all the necessary background check information and signed statements regarding previous sexual misconduct described in the standards. The training records were also very complete and included written documentation that staff and volunteers received the required training and understood what was being trained.

The auditor also reviewed eight offender files and saw documentation of offender education. However, during this review it was discovered that the initial risk screening, the 30-day rescreening, and screenings upon additional information was not being completed as required

by the standard. This resulted in a finding of "Does Not Meet" with standards 115.41 and 115.42. Corrective action plans were created and implemented as well as a follow up site visit by the auditor to achieve compliance.

In the 12 months preceding the audit, Tennessee Department of Corrections - Northwest Correctional Complex had received and investigated a total of twenty PREA complaints broken down as follows:

<u>Number Received</u>	<u>Description of Complaint</u>	<u>Offender</u>	<u>Investigative Results</u>
6	Sexual Abuse	Inmate	2 Unfounded
			3 Unsubstantiated
			1 Pending
6	Sexual Harassment	Inmate	1 Unfounded
			5 Unsubstantiated
3	Sexual Abuse	Staff	3 Unsubstantiated
5	Sexual Harassment	Staff	4 Unsubstantiated
			1 Substantiated

All investigative files were reviewed during the onsite visit and appeared to thoroughly document the investigation process per agency policy. Criminal investigative referrals were documented and proper referrals were made when warranted. During interviews with 5 inmates that had reported an incident of sexual abuse or sexual harassment, they all reported PREA violations were taken serious and investigated properly in their opinions. They all reported being kept informed during the investigative process and retaliation monitoring was being conducted regularly.

At the conclusion of the on-site visit an exit meeting was held to discuss the audit findings. The following staff were in attendance:

- Warden Michael Parris
- Associate Warden of Treatment Gloria Gross, Facility PREA Coordinator
- Jason Tittle, Facility PREA Manager
- Tom Joplin, Statewide PREA Coordinator
- Tina McKinney, Chief Counselor

During the exit the auditor explained the process that would follow the on-site visit to include corrective measures required and a follow up visit to ensure compliance with corrective action plans developed. The auditor also explained that all areas found to not meet the standards during the on-site visit must be corrected and he would be working closely with the PREA team to accomplish compliance. Finally, the auditor acknowledged the willingness of all staff involved to accomplish PREA compliance and advised the PREA team of their requirements to post the final report on the facility website once compliance with all standards was achieved.

During a follow up visit on April 6, 2016, the auditor revisited several housing units, intake, count room, investigations, health services, and screening staff areas to ensure the corrective action plans agreed upon were implemented. All staff and inmates interviewed during the re-visit acknowledged as well as a random review of documentation revealed compliance with the corrective action plans.

DESCRIPTION OF FACILITY CHARACTERISTICS:

Northwest Correctional Complex, owned and operated by the Tennessee Department of Corrections, is located at 960 State Route 212, Tiptonville, TN 38079 with a minimum security unit located onsite outside the secure perimeter. The facility is located on approximately 250 acres of land in rural Lake County, Tennessee, along the Mississippi River near the Kentucky border. The facility is approximately two miles outside Tiptonville, Tennessee, which is approximately 30 miles west of Dyersburg, Tennessee. The complex has three adjacent but physically distinct units: the main compound, the annex, and the minimum security unit. The annex was originally opened as the Lake County Regional Correctional Facility in 1981. The main compound and the minimum security unit were originally opened as the Northwest Correctional Center in 1992. In 1997, all three existing facilities were consolidated under one Warden and designated as the Northwest Correctional Complex. The complex houses inmates with custody levels of minimum trustee through medium custody.

The complex's rated bed capacity is 2425. There are a total of 60 buildings with 32 of these being utilized for inmate housing units. All general housing units are doubled celled. The buildings at the main compound and the minimum security unit are constructed of concrete. The housing units within the main compound have two-tiered rows of cells on the two to four wings, mostly in a double-bunked configuration. At these units, there are two housing units in one building. The segregation unit has four different units housed in one building. In the high security area there are 120 beds and in the protective custody area there is 128 beds. The segregation unit is at the main compound and does have single celled units. There are a total of 16 buildings between the main compound and the minimum security unit. The minimum security unit is located outside and adjacent to the secure perimeter and has a rated capacity of 300. There is a central dining area at both the main compound and the minimum security unit.

There are a total of 30 buildings at the annex, 16 of which are housing units. At the annex the housing units are rectangular, brick and mortar buildings with metal roofs and are single story, stand-alone buildings. The 16 housing units are arranged along a circular walkway. Most all rooms are double bunked and each housing unit can hold 47 inmates. The end unit houses youthful inmates for the entire state and at the time of this audit there were 9 youthful inmates being housed in this unit. At the annex there is a satellite kitchen in each housing unit and the inmates are fed in the housing units.

The Northwest Correctional Complex's mission is: "to effectively operate as a programming institution to serve the public by providing adult and youthful male inmates opportunities to prepare themselves for eventual release from the facility as productive members of society while adhering to recognized professional standards that manage and support the mission of the Tennessee Department of Corrections". It was evident the staff at the Northwest Correctional Complex were committed to excellence in corrections, by providing a dedicated team of professionals whose focus is on the enhancement of the quality of life through self-improvement opportunities for the inmates entrusted to their care.

SUMMARY OF AUDIT FINDINGS:

On February 29 - March 2, 2016, the on-site visit was completed. During the audit, the auditor determined two standards did not meet the standard requirements (115.41 and 115.42). During the onsite visit the auditor and the facility staff developed and agreed upon corrective action plans to be implemented. Throughout the 30-day interim report writing period the auditor and the PREA staff had on going communications regarding the implementation of the corrective actions. Then on April 6, 2016 the auditor revisited the facility and confirmed implementation and compliance with the corrective action plans developed and the auditor began the final report. The results of the Tennessee Department of Corrections - Northwest Correctional Complex audit are listed below:

Number of standards exceeded:	3
Number of standards met:	40
Number of standards not met:	0
Non-applicable:	0

§115.11 - Zero tolerance of sexual abuse and sexual harassment

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

115.11 (a) The agency has a written policy and procedure mandating zero tolerance for all forms of sexual abuse and sexual harassment. This policy outlines the agency’s approach to preventing, detecting and responding to incidents of sexual abuse and sexual harassment. The procedures for all staff were clearly outlined in the Tennessee Department of Corrections policy 502.06 provided. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.11 (B) and (C) The agency employs an upper-level, agency-wide PREA Coordinator and a facility PREA Compliance Manager as required by this standard. Tom Joplin was appointed as the agency PREA Coordinator on June 22, 2014 and is assisted by a PREA Compliance Manager Jason Tittle. Tennessee Department of Corrections Policy 502.06 section VI, pages 3 and 4 outlines the responsibilities of the PREA Coordinator and PREA Manager. The facility provided the auditor with the organizational chart showing the PREA Coordinator position as an upper-level, agency-wide position. During interviews with the PREA Coordinator and the PREA Manager, both indicated they had sufficient time and authority to coordinate the facility’s efforts to comply with the PREA standards as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.12 - Contracting with other entities for the confinement of inmates

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)
- Not-applicable Standard

115.12 (a) Based on the documentation provided, Policy 502.06 section O, page 6, as well as staff interviews it was determined the Tennessee Department of Corrections does include in all new contracts and upon renewal of a contract the obligation to adopt and comply with the PREA standards as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.12 (b) Based on the documentation provided, Policy 502.06 section P, page 6, and administrative staff interviews the Tennessee Department of Correction provides a contract monitor for all new and renewed agency contracts to ensure the contractor is complying with the PREA standards as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.13 – Supervision and Monitoring

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on staff interviews, review of documentation provided and review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy, 502.06 sections H and J, on page 5. The following delineates the audit findings regarding this standard:

115.13 (a) The facility has documented and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing as described and required by this standard. Video monitoring has also been deployed and upgraded to assist with the protection of offenders against sexual abuse. The staffing levels are monitored daily by review of shift rosters. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.13 (b) The facility has procedures in place to ensure all deviations are covered by overtime or notification must be documented and submitted to the Warden outlining the reason(s) for the deviation. There have been no deviations reported where the staffing plan has not been complied with in the past twelve months, as confirmed by interview with the Warden. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.13 (c) Based on administrative staff interviews and Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06 section H, on page 5, which mandates an annual review of the staffing plan each calendar year. As well as documentation of the annual review conducted July 1, 2015 which was documented on form number CR-3964 and approved by the Warden, Associate Warden of Security, Associate Warden of Treatment (Facility PREA Coordinator), Chief of Security and the Agency PREA Coordinator. The facility has demonstrated compliance with this part of the standard during this audit.

115.13 (d) Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06 section J, on page 5, staff interviews, and documentation provided. Intermediate-level or higher-level supervisors are required to conduct and are documenting UNANNOUNCED rounds on all shifts as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.14 – Youthful Inmates

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Not Applicable Standard

Based on the documentation provided, Tennessee Department of Corrections - Northwest Correctional Complex policy, 506.14.2, pages 1 through 4, site review, youthful inmate interviews, and staff interviews. The following delineates the audit findings regarding this standard:

115.14 (a) The facility does not place youthful inmates in housing units where youthful inmates have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.

Youthful inmates are housed in housing unit 16 at the annex with complete separation from the adult population. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.14 (b) Tennessee Department of Corrections - Northwest Correctional Complex ensures that during use of any area outside the youthful inmates housing unit that staff provides the following as required by this part of the standard:

(1) they maintain sight and sound separation between youthful inmates and adult inmates, and/or

(2) they provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact.

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.14 (c) Tennessee Department of Corrections - Northwest Correctional Complex makes its best efforts to avoid placing youthful inmates in isolation to comply with this provision. The youthful inmates are housed in a general population housing unit at the annex with complete separation from the adult population. Absent exigent circumstances, the facility does not deny youthful inmates daily large-muscle exercise and any legally required special education services to comply with this provision. During count the youthful inmates are taken to the gym and outdoor recreation allowing access to daily large-muscle exercise. Educational staff provide and offer daily educational classes to the youthful inmates in the housing unit. Youthful inmates also have access to other programs and work opportunities to the extent possible. Program staff offers programs daily and the youthful inmates are allowed to work inside their housing unit. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.15 – Limits to Cross-Gender Viewing and Searches

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 506.06-1 section H, page 4, training curriculums, staff interviews, training file reviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.15 (a) Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 506.06-1 section H, on page 4 outlines offender searches including cross-gender searches. The review of training curriculums and staff interviews revealed cross gender strip searches are prohibited except in exigent circumstances and must be approved and documented when exigent circumstances exist. There has been no documented cross-gender visual body cavity or strip searches reported in the past 12 months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (b) Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 506.06-1 section H, on page 4 prohibits male employees from frisk/pat searches of female inmates/residents except in exigent circumstances. Staff interviews confirmed knowledge and compliance with this directive of policy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (c) Tennessee Department of Corrections - Northwest Correctional Complex PREA 506.06-1 section H, on page 4 prohibits frisk/pat searches of the female inmates by male staff and requires that all cross-gender searches in exigent circumstances be documented. There have been no documented cross-gender

searches reported during the past 12 months confirmed by administrative staff interviews. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (d) Tennessee Department of Corrections - Northwest Correctional Complex policy 112.08-1 section V, on page 1 outlines that inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia. The inmates confirmed during interviews they have privacy when showering, using the toilets and while changing their clothes.

Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 305.03 section A, on page 2 also requires staff of the opposite gender to announce their presence prior to entering the housing units. Inmate and staff interviews revealed that opposite gender announcements were common practice at this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (e) Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 506.06-1 section H, on page 5, training curriculum provided and staff interviews the facility prohibits staff from physically examining transgender or intersex inmates for the sole purpose of determining genital status. If the inmate's genital status is unknown, it is determined 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. During interviews with the LGBTI inmates it was confirmed that the inmates did not feel they were strip searched for this purpose. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (f) Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06 section K, 3 on page 6, training curriculum provided, staff training file reviews, and staff interviews. The facility trains security staff to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. During interview with the LGBTI inmates it was confirmed that the inmates feel the staff conducts proper searches. There were also no complaints filed by the LGBTI inmates in the past 12 months related to searches. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.16 – Inmates with Disabilities and Inmates who are Limited English Proficient

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06 section D, on page 4, training curriculums, review of the facility written plan for providing limited English proficient inmates services, documentation provided, staff, and inmate interviews. The following delineates the audit findings regarding this standard:

115.16 (a) The Tennessee Department of Corrections - Northwest Correctional Complex takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. During interviews with the inmates identified to meet the aspects of this standard, they all confirmed they received training and materials they could understand. The inmates and staff also confirmed that interpretive services are available when needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.16 (b) The Tennessee Department of Corrections - Northwest Correctional Complex takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively accurately and impartially. During interviews with the inmates identified to meet the aspects of this standard, they all confirmed they received training and materials they could understand. The inmates and staff also confirmed that interpretive services are available when needed. Therefore, the facility has demonstrated compliance with this part of the standard during this audit. However, it is strongly recommended that the facility provide more written material to the limited English proficient inmates in the future.

115.16 (c) Tennessee Department of Corrections - Northwest Correctional Complex does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. The inmates and staff confirmed during interviews and documentation provided also confirmed that interpretive services are available when needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.17 – Hiring and Promotion Decisions

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex policy 301.04 section H, page 3, Human Resource staff interviews, and personnel file reviews. The following delineates the audit findings regarding this standard:

115.17 (a) Tennessee Department of Corrections - Northwest Correctional Complex does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor or volunteer 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, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (b) Tennessee Department of Corrections - Northwest Correctional Complex considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor or volunteer, who may have contact with inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (c)-1 Tennessee Department of Corrections - Northwest Correctional Complex requires a criminal background records check be completed before hiring any new employee. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (c)-2 Tennessee Department of Corrections - Northwest Correctional Complex makes their best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegation of sexual abuse. This request is documented on form CR-3962. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (d) Tennessee Department of Corrections - Northwest Correctional Complex requires a criminal background records check be completed before enlisting the services of any contractor or volunteer who may have contact with the inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (e) Tennessee Department of Corrections - Northwest Correctional Complex policy 301.04 section E, on page 3 requires a criminal background records check be completed on all current employees, volunteers and contractors annually on their employment anniversary date. A Random file review revealed that this is common practice at this facility. Therefore, the facility exceeds the requirements of this part of the standard.

115.17 (f) Tennessee Department of Corrections - Northwest Correctional Complex instills upon all employees a continuing affirmative duty to disclose any sexual

misconduct as required by this standard. Tennessee Department of Corrections policy 301.04 requires that the PREA Compliance and Acknowledgement form CR-3819 be completed by all applicants, upon being hired, during annual background check, and during consideration for a promotion. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (g) Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 301.04 mandates that material omissions regarding sexual misconduct, and the provision of materially giving false information, are grounds for termination as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (h) Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 301.04 requires the agency to provide information on substantiated allegations of sexual abuse or sexual harassment involving a current or former employee upon receiving a request from an institutional employer for whom such employee has applied to work. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.18 – Upgrades to Facilities and Technology

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 108.01, section G and H, on page 3, staff interviews and review of documentation provided. The following delineates the audit findings regarding this standard:

115.18 (a) Tennessee Department of Corrections - Northwest Correctional Complex requires when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.18 (b) Tennessee Department of Corrections - Northwest Correctional Complex policy 108.01 section H, on page 3 requires when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse. During this audit cycle there has been minimal enhancements to the technology at this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

It is strongly recommended that additional cameras be considered in the Laundry, Classrooms, Commissary, Gym, and the Minimum Security Building with any future expansion.

§115.21 – Evidence Protocol and Forensic Medical Examinations

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex policies 502.06.2 and 502.06.3, investigative staff interviews, and review of documentation provided. The following delineates the audit findings regarding this standard:

115.21 (a) and (b) Tennessee Department of Corrections - Northwest Correctional Complex complies with all elements of this standard. The agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings. The Tennessee Department of Corrections Investigations Unit Special Agents conduct all criminal investigations at this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (c) Tennessee Department of Corrections - Northwest Correctional Complex offers all victims of sexual abuse access to forensic medical examinations at the Jackson General Hospital in Jackson, Tennessee without financial cost, where evidentiary or medically appropriate. Such examinations are performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) at this hospital. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (d) The Tennessee Department of Corrections - Northwest Correctional Complex has attempted to enter into a Memorandum of Understanding with several Rape Crisis Centers, to provide outside victim advocacies services to the inmates. However, each attempt has failed and documentation of these attempts was provided. The facility has provided a qualified staff member employed by the mental health team which would provide these services as warranted. However, these services have not been requested or used by the inmates during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (e) Tennessee Department of Corrections - Northwest Correctional Complex has attempted to enter into a Memorandum of Understanding with several Rape Crisis Centers, to provide outside victim advocacies services to the inmates. However, each attempt has failed and documentation of these attempts was

provided. The facility makes available to the victim a qualified agency staff member, upon request by the victim, who will accompany and support the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals as warranted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (f) The Tennessee Department of Corrections - Northwest Correctional Complex is responsible for administrative and criminal investigations. Therefore, this part of the standard is not applicable to this facility.

§115.22 – Policies to Ensure Referrals of Allegations for Investigations

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section VI, on pages 1 through 7, investigative staff interviews, and review of documentation provided. The following delineates the audit findings regarding this standard:

115.22 (a) The Tennessee Department of Corrections - Northwest Correctional Complex is required to investigate ALL PREA complaints received at this facility. All potential criminal activity is referred to the Tennessee Department of Corrections Investigations Unit Special Agents for criminal investigation and prosecution when warranted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (b) All PREA allegations are investigated by the Tennessee Department of Corrections - Northwest Correctional Complex for potential criminal activity. If it is determined that the allegation involves potential criminal activity, it is referred to the Tennessee Department of Corrections Investigations Unit Special Agents for criminal investigation and prosecution when warranted. This policy is published on the agency website as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (c) The Tennessee Department of Corrections - Northwest Correctional Complex is responsible for administrative and criminal investigations. Therefore, this part of the standard is not applicable to this facility.

§115.31 – Employee Training

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06 section K, on page 5, staff interviews, random staff training file review and review of documentation provided (power points, certificates, sign in sheets, signed acknowledgement forms, training curriculums and employee handouts). The following delineates the audit findings regarding this standard:

115.31 (a) Tennessee Department of Corrections - Northwest Correctional Complex train all their employees who have contact with inmates on:

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

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (b) The training is tailored to the gender of the inmates at Tennessee Department of Corrections - Northwest Correctional Complex. The employees receive additional training if the employee is reassigned from a facility that houses only female inmates to a facility that houses only male inmates, or vice versa. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (c) The training staff provided a report containing all staff that had been PREA trained which confirmed the requirements needed to meet the standard and proved that all current staff was trained within one year of the effective date of the PREA standards. All staff receive annual refresher PREA training during in-service which exceeds the requirements of this standard. Therefore, the facility exceeded this part of the standard during this audit.

115.31 (d) Tennessee Department of Corrections - Northwest Correctional Complex documents, through employee signature on an acknowledgement form, that all employees understand the training they have received. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.32– Volunteer and Contractor Training

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06 section L, on page 6, volunteer and contractor interviews, random training file review and review of documentation provided (power points, certificates, sign in sheets, signed acknowledgement forms, training curriculums and handouts). The following delineates the audit findings regarding this standard:

115.32 (a) Tennessee Department of Corrections - Northwest Correctional Complex ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Tennessee Department of Corrections - Northwest Correctional Complex sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.32 (b) The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of Tennessee Department of Corrections - Northwest Correctional Complex's zero-tolerance policy 502.06 regarding sexual abuse and sexual harassment and informed how to report such incidents. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.32 (c) Tennessee Department of Corrections - Northwest Correctional Complex documents through signature on acknowledgement form CR-2935 and/or the training roster that volunteers and contractors understand the training they have received. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.33 – Inmate Education

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on review of the Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.1 section B, on page 3, the Inmate

Handbook, PREA pamphlets, Facility Orientation, PREA Posters, and the 30-day training video; as well as interviews with random inmates and staff. The following delineates the audit findings regarding this standard:

115.33 (a) During the intake process, inmates receive information explaining Tennessee Department of Corrections - Northwest Correctional Complex's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (b) Within 30 days of intake, Tennessee Department of Corrections - Northwest Correctional Complex provides comprehensive education to the inmates, administered by video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (c) Tennessee Department of Corrections - Northwest Correctional Complex has provided such education within one year of the effective date of the PREA standards to all its inmates, and provides education to inmates upon transfer as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (d) Tennessee Department of Corrections - Northwest Correctional Complex provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. The facility has a state contract with World Wide Interpreters and the Tennessee Foreign Language Institute as well as TDD phones to assist inmates with these disabilities. Therefore, the facility demonstrated compliance with this part of the standard during this audit. However, it is strongly recommended that the facility provide additional written materials to the limited English proficient inmate population at this facility.

115.33 (e) There was documentation provided of inmate's participation in PREA educational sessions as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (f) Tennessee Department of Corrections - Northwest Correctional Complex does provide the inmates with posters, pamphlets, and an inmate handbook outlining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.34 – Specialized Training: Investigations

Exceeds Standard (substantially exceeds requirement of standard)

X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on review of the Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section E, on page 4 as well as the PREA Specialized Investigator Training curriculums provided, Investigators training file review and investigative staff interviews. The following delineates the audit findings regarding this standard:

115.34 (a) In addition to the general training provided to all employees Tennessee Department of Corrections - Northwest Correctional Complex ensures that the investigators have received training in conducting investigations in confinement settings. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.34 (b) Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.34 (c) Tennessee Department of Corrections - Northwest Correctional Complex maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.35 – Specialized training: Medical and mental health care

Exceeds Standard (substantially exceeds requirement of standard)

X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on review of the Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.3 section C, on page 6 as well as the PREA Specialized Medical/Mental Health training curriculum provided, training file review and staff interviews. The following delineates the audit findings regarding this standard:

115.35 (a) Tennessee Department of Corrections - Northwest Correctional Complex PREA policy as well as the PREA Specialized Medical/Mental Health training curriculum provided, training file review and staff interviews revealed the agency has

provided specialized training to all its medical and mental health staff on how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how to report allegations of sexual abuse and sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (b) The medical staff at this facility does not conduct forensic exams. Therefore, this part of the standard is not applicable to this facility.

115.35 (c) The agency maintains documentation that all medical and mental health practitioners have received specialized training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (d) Medical and mental health care practitioners also receive the annual training mandated for all employees, documentation was provided that all medical staff have attended the PREA training mandated for all employees under 115.31 or 115.32 depending upon practitioner's status with the agency. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.41 – Screening for Risk of Victimization and Abusiveness

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.1 section C, on page 4, inmate and staff interviews, inmate file reviews, and a review of the CR-3638 objective PREA Screening Assessment form. The following delineates the audit findings regarding this standard:

115.41 (a) Tennessee Department of Corrections - Northwest Correctional Complex policy requires that all inmates are assessed during intake and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. However, during random inmate file review, inmate and staff interviews it was determined that the procedure wasn't always being followed resulting in corrective action being required.

During the corrective action period the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all new inmates were screened upon intake with referrals being made to mental health as required. Based on a follow up site visit conducted on April 6, 2016 and a random inmate file review of 10 files, as

well as screening staff interviews, mental health staff interviews, and review of documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.41 (b) The Tennessee Department of Corrections - Northwest Correctional Complex provided documentation that mandates screenings be conducted within 72 hours of arrival at the facility. However, during random inmate file review, inmate and staff interviews it was determined that the procedure wasn't always being followed resulting in corrective action being required.

During the corrective action period the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all new inmates were screened upon intake with referrals being made to mental health as required. Based on a follow up site visit conducted on April 6, 2016 and a random inmate file review of 10 files, as well as screening staff interviews, mental health staff interviews, and review of documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.41 (c) Based on the documentation provided and inmate file reviews the facility utilizes an objective screening instrument that covers all aspects of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (d) The intake screening instrument used considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

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

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (e) The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Tennessee Department of Corrections - Northwest Correctional Complex, in assessing inmates for risk of being sexually abusive. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (f) Within 30 days from the inmate's arrival, the Tennessee Department of Corrections - Northwest Correctional Complex will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Tennessee Department of Corrections - Northwest Correctional Complex since the intake screening. However, during random inmate file review, inmate and staff interviews it was determined that the procedure wasn't always being followed resulting in corrective action being required.

During the corrective action period the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all new inmates were screened upon intake with referrals being made to mental health as required. (c) 30-day reassessments were conducted and a tracking system was established to ensure future 30-day reassessments and reassessments based on an incident or additional information received are conducted. Based on a follow up site visit conducted on April 6, 2016 and a random inmate file review of 10 files, as well as screening staff interviews, mental health staff interviews, and review of documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.41 (g) Tennessee Department of Corrections - Northwest Correctional Complex will reassess 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 abusiveness. However, during random inmate file review, inmate and staff interviews it was determined that the procedure wasn't always being followed resulting in corrective action being required.

During the corrective action period the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all new inmates were screened upon intake with referrals being made to mental health as required. (c) 30-day reassessments were conducted and a tracking system was established to ensure future 30-day reassessments and reassessments based on an incident or additional information received are conducted. Based on a follow up site visit conducted on April 6, 2016 and a random inmate file review of 10 files, as well as screening staff interviews, mental health staff interviews, and review of documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.41 (h) Tennessee Department of Corrections - Northwest Correctional Complex does not discipline inmates for refusing to answer screening questions or not disclosing complete information. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (i) Tennessee Department of Corrections - Northwest Correctional Complex implements appropriate controls on the dissemination of responses to questions

asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Based on interviews with the staff responsible for completing the screening, all information gathered on the screening instrument is restricted to staff making housing, work, and program assignments. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.42 – Use of Screening Information

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.01 section C, on page 4, policy 113.37, inmate and staff interviews, file review, and review of the CR-3638 objective PREA Screening Assessment form. The following delineates the audit findings regarding this standard:

115.42 (a) Tennessee Department of Corrections - Northwest Correctional Complex uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. However, during random inmate file review, inmate and staff interviews it was determined that the procedure wasn't always being followed resulting in corrective action being required.

During the corrective action period the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all new inmates were screened upon intake with referrals being made to mental health as required. (c) 30-day reassessments were conducted and a tracking system was established to ensure future 30-day reassessments and reassessments based on an incident or additional information received are conducted. (d) All staff charged with deciding housing, bed, work, education, and programing assignments were given access and trained where this information is stored. Based on a follow up site visit conducted on April 6, 2016 and a random inmate file review of 10 files, as well as screening staff interviews, mental health staff interviews, and review of documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.42 (b) Tennessee Department of Corrections - Northwest Correctional Complex makes individualized determinations about how to ensure the safety of each inmate.

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (c) Tennessee Department of Corrections - Northwest Correctional Complex policy 113.37, sections F, G, and H, outlines the procedures to be followed in deciding whether to assign a transgender inmate to a facility for male or female inmates, and the process for making housing and programming assignments, on case by case bases as required by this standard. Based on interviews with the LBGTI inmates housed at this facility they both stated they felt safe at the facility and staff considers their safety when making housing and programming assignments. They both stated their counselor meets with them frequently and inquiries about their safety. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (d) Tennessee Department of Corrections - Northwest Correctional Complex policy 113.37, sections F, G, and H, outlines the procedures for placement and programming assignments of each transgender or intersex inmate being reassessed at least twice per year to review any threats to safety experienced by the inmate as required by this standard. Based on interviews with the LBGTI inmates housed at this facility they both stated they felt safe at the facility and staff considers their safety when making housing and programming assignments. They both stated their counselor meets with them more frequent than ever six months to inquire about their safety. Documentation provided revealed that a review was conducted and documented every six months as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (e) Tennessee Department of Corrections - Northwest Correctional Complex policy 113.37, sections F, G, and H, requires that a transgender and intersex inmate's own views regarding their own safety be given serious consideration. Both LBGTI inmates stated they felt safe at the facility and that staff gave serious consideration to their safety regarding housing assignments. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (f) Tennessee Department of Corrections - Northwest Correctional Complex policy 113.37, sections F, G, and H, requires that transgender and intersex inmates be given the opportunity to shower separately from other inmates. Both LBGTI inmates stated they were given the opportunity but the showers are covered and give them their privacy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (g) Tennessee Department of Corrections - Northwest Correctional Complex does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting

such inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.43 – Protective Custody

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section D, on page 3, staff interviews, inmate interviews, and documentation review. The following delineates the audit findings regarding this standard:

115.43 (a) Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. The Tennessee Department of Corrections - Northwest Correctional Complex policy outlines the procedures to ensure compliance with this standard. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (b) Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If Tennessee Department of Corrections - Northwest Correctional Complex restricts access to programs, privileges, education, or work opportunities, they document the opportunities that have been limited on the LCDG–Contact Notes in the computer, the duration of the limitation; and the reasons for such limitations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (c) Tennessee Department of Corrections - Northwest Correctional Complex assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment does not ordinarily exceed a period of 30 days. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (d) If an involuntary segregated housing assignment is made, Tennessee Department of Corrections - Northwest Correctional Complex clearly documents the basis for the facilities' concern for the inmate's safety; and the reason why no alternative means of separation can be arranged. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (e) Tennessee Department of Corrections - Northwest Correctional Complex requires a 30-day review to determine whether there is a continuing need for separation from the general population. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.51 – Inmate Reporting

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section B, on pages 2 and 3, the Inmate Handbook, PREA pamphlets, and posters provided to inmates were utilized to verify compliance with this standard. Staff and inmate interviews verified the inmates have multiple internal ways to report incidents of abuse or harassment. They can report verbally, in writing, dialing the hotline provided and/or through report of a third party. The following delineates the audit findings regarding this standard:

115.51 (a) Tennessee Department of Corrections - Northwest Correctional Complex PREA policy outlines multiple internal ways for inmates to report incidents of abuse or harassment. They can report verbally, in writing, dialing the hotline provided and/or through report of a third party. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (b) Tennessee Department of Corrections - Northwest Correctional Complex provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Tennessee Department of Corrections - Northwest Correctional Complex, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. The Tennessee Department of Corrections - Northwest Correctional Complex has by Memorandum of Understanding provided a hotline number for the Lake County Sheriff's Department to the inmates satisfying the requirements of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (c) Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section B, page 2 requires all staff to accept reports made verbally, in writing, anonymously, and from third parties. All allegations shall be promptly documented in an incident report and reported to the supervisor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (d) Tennessee Department of Corrections - Northwest Correctional Complex policy 502.06.2 section B, on page 2 states staff may privately report sexual abuse and sexual harassment of inmates to the Central Office PREA Tip Line and provides staff the phone number. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.52 – Exhaustion of Administrative Remedies

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)
- Not Applicable (Exempt) Standard

The Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 outlines all aspects of the requirements of this standard. Based on review of these policies, documentation provided, inmate interviews, and staff acknowledgement. The following delineates the audit findings regarding this standard:

115.52 (a) Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 outlines the administrative procedures to be followed to address inmate grievances regarding sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (b) Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 requires the following:

- (1) The agency shall not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.
 - (2) The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.
 - (3) The agency shall not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
 - (4) Nothing in this section shall restrict the agency's ability to defend against an inmate lawsuit on the ground that the applicable statute of limitations has expired.
- Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (c) Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 requires the Grievance Coordinator to ensure the following:

- (1) An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
- (2) Such grievance is not referred to a staff member who is the subject of the complaint. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (d) Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 requires that the Associate Warden of Treatment 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.

Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 outlines that the Associate Warden of Treatment may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.

Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 directs that at any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (e) Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 directs the following:

- (1) Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates.
- (2) If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process. All such grievances shall be documented on the Inmate Grievance form CR-1394.
- (3) If the inmate declines to have the request processed on his or her behalf, the agency shall document the inmate's decision on the original Inmate Grievance form CR-1394. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (f) Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 directs the following:

After receiving an emergency grievance or an informal complaint alleging an inmate is subject to a substantial risk of imminent sexual abuse, the Grievance Chairperson

or staff member receiving the complaint shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to the Associate Warden of Treatment to ensure immediate corrective action is taken. The Grievance Chairperson shall provide an initial response within 48 hours, and shall issue a final decision within 5 calendar days. The initial response and final decision provided within the PREA Allegation System 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (g) Tennessee Department of Corrections - Northwest Correctional Complex policy 501.01 section L, pages 6 and policy change notice 15-14 outlines that the agency may discipline an inmate for filing a grievance related to alleged sexual abuse only when the agency demonstrates that the inmate filed the grievance in bad faith. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.53 – Inmate Access to Outside Confidential Support Services

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section B, on page 2, staff interviews, and documentation review. The following delineates the audit findings regarding this standard:

115.53 (a), (b), and (c) The agency has made several attempts to enter into a Memorandum of Understanding with a Rape Crisis Center to provide confidential outside victim advocacies services to the inmates at Tennessee Department of Corrections - Northwest Correctional Complex. The facility provided documentation of ongoing attempts to acquire these services for their inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.54 – Third-Party Reporting

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on the review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section B, on page 2 as well as a review of the agency website outlining third party reporting. The following delineates the audit findings regarding this standard:

115.54 (a) The agency provides a method for receiving third-party reports of sexual abuse and sexual harassment on the agency website at:

<http://www.tn.gov/correction/article/prison-rape-elimination-act-of-2003>. The information available on the website provides a hotline number for third parties to report sexual abuse and sexual harassment on behalf of an inmate. The facility takes all reports seriously no matter how they are received and investigates each reported incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.61 – Staff and Agency Reporting Duties

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section A, on page 2, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.61 (a) Tennessee Department of Corrections - Northwest Correctional Complex policy requires all staff to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (b) Tennessee Department of Corrections - Northwest Correctional Complex requires apart from reporting to designated supervisors or officials, staff do not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (c) Tennessee Department of Corrections - Northwest Correctional Complex requires medical and mental health practitioners to report sexual abuse immediately to the security staff supervisor. Medical and mental health practitioners are required to inform the inmates of their duty to report, and the limitations of confidentiality, at

the initiation of services. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (d) Based on information provided by the Tennessee Department of Corrections staff attorney stating: "Tennessee Code Annotated 37-1-134 removes jurisdiction of any offender committed to the Tennessee Department of Corrections from the juvenile system to the adult system". As well as a Memorandum from the Director of the Adult Protective Services Department of Human Services Office of General Counsel for the State of Tennessee stating: "That they are not to be notified or to investigate allegations of abuse, neglect or exploitation of persons in jails/correctional facilities". The Tennessee Department of Correction has provided documentation outlining their requirements regarding this standard by state laws. Review of this documentation has demonstrated compliance with state laws and therefore meets the requirements of this part of the standard.

115.61 (e) Tennessee Department of Corrections - Northwest Correctional Complex reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility investigator as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.62 – Agency Protection Duties

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section B, on page 3, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.62 (a) Policy and staff training requires all staff to take immediate action and staff confirmed during their interviews the requirement of all staff to protect inmates when it is learned that an inmate at the Tennessee Department of Corrections - Northwest Correctional Complex is subject to a substantial risk of imminent sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.63 – Reporting to Other Confinement Facilities

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section P, on page 9, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.63 (a) Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of Tennessee Department of Corrections - Northwest Correctional Complex that received the allegation notifies the head of the facility or appropriate office where the alleged abuse occurred. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.63 (b) and (c) Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.63 (d) Upon receiving a call from an outside facility that an inmate had been sexually abused while in the custody of the Tennessee Department of Corrections - Northwest Correctional Complex. The allegation is referred immediately to the facility investigator to be investigated. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.64 – Staff First Responder Duties

Exceeds Standard (substantially exceeds requirement of standard)

X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section C, on page 3, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.64 (a) Tennessee Department of Corrections - Northwest Correctional Complex policy outlines the responsibilities of all staff members receiving an allegation of sexual abuse to follow these guidelines:

- (1) Separate the alleged victim and abuser;
- (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and

(4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.64 (b) Tennessee Department of Corrections - Northwest Correctional Complex PREA policy mandates when the first staff responder is not a security staff member, they shall advise the alleged victim not to take any actions that could destroy physical evidence, and then notify security staff immediately. The auditor confirmed compliance based on interviews with and training records of non-security staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.65 – Coordinated Response

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section D, pages 3 and 4, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.65 (a) Tennessee Department of Corrections - Northwest Correctional Complex has a very comprehensive written plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators and facility leadership. The plan clearly defines the roles and responsibilities of each person involved and the procedures to be followed in detail. Interviews with SART members confirmed their knowledge of the response plan.

Part of the response plan is the "Sexual Abuse Incident Check Sheet" form CR-3776 which is initiated upon receiving a PREA allegation and ensures all steps in the plan are carried out in a timely manner exceeding the requirements of this standard.

§115.66 – Preservation of ability to protect inmates from contact with abusers

Exceeds Standard (substantially exceeds requirement of standard)

X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on interviews with the Tennessee Department of Correction agency head and the Northwest Correctional Complex Warden. The following delineates the audit findings regarding this standard:

Tennessee Department of Corrections - Northwest Correctional Complex does not participate in collective bargaining. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.67 – Agency protection against retaliation

Exceeds Standard (substantially exceeds requirement of standard)

X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section G, page 6, staff interviews, inmate interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.67 (a) Tennessee Department of Corrections - Northwest Correctional Complex has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and designates which staff members or departments are charged with monitoring retaliation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (b) Tennessee Department of Corrections - Northwest Correctional Complex has multiple protection measures, such as housing changes or transfers for inmates, victims, or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (c) For at least 90 days following a report of sexual abuse, Tennessee Department of Corrections - Northwest Correctional Complex monitors the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and act promptly to remedy any such retaliation. There are periodic status checks performed and documented on the

PREA Retaliation Review form CR-3963. Tennessee Department of Corrections - Northwest Correctional Complex's monitoring includes any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Such monitoring continues beyond 90 days if the initial monitoring indicates a continuing need. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (d) If any other individual who cooperates with an investigation expresses a fear of retaliation, Tennessee Department of Corrections - Northwest Correctional Complex takes appropriate measures to protect that individual against retaliation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.68 – Post-Allegation Protective Custody

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

115.68 (a) Tennessee Department of Corrections - Northwest Correctional Complex prohibits offenders who have alleged sexual abuse to be placed in involuntary segregated housing. If segregated housing is used, the same provisions as outlined in PREA policy 502.06.2 section D, 2, a through e on pages 3 and 4 would apply. Interviews with the Warden and segregation staff revealed that involuntary segregation has not been used for this purpose in the past 12 months. The Warden stated that if separation was required to protect the offender, they would be placed in segregation for no longer than 72 hours. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.71 – Criminal and Administrative Agency Investigations

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based upon review of the Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section D and E, on pages 3, 4, and 5, investigative staff interviews, training certificates, investigative reports, as well as interviews with the PREA Coordinator, PREA Compliance Manager and reporting inmates. The following delineates the audit findings regarding this standard:

115.71 (a) Tennessee Department of Corrections - Northwest Correctional Complex investigator conducts an investigation immediately when notified of an allegation of sexual abuse and sexual harassment. The investigative files were reviewed and it appeared that the investigations were conducted promptly, documented thoroughly, and objectively for all allegations, including third-party, and anonymous reports. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (b) Based on training curriculums provided, Investigators training file review, and investigative staff interviews, it was evident the facility provided, in addition to the general training received by all employees, specialized training to all its investigators. This training included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (c) Tennessee Department of Corrections - Northwest Correctional Complex Investigators and the Tennessee Department of Corrections, Investigative Unit Special Agents gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (d) When the quality of evidence appears to support criminal prosecution, Tennessee Department of Corrections - Northwest Correctional Complex refers the case to the Tennessee Department of Corrections, Investigative Unit Special Agents for the criminal investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (e) The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. The inmate who alleges sexual abuse is not required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (f) Tennessee Department of Corrections - Northwest Correctional Complex administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (g) Tennessee Department of Corrections - Northwest Correctional Complex, criminal investigations are documented by the Tennessee Department of Corrections, Investigative Unit Special Agents in a written report that contains a thorough

description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (h) Tennessee Department of Corrections - Northwest Correctional Complex refers all allegations to the Tennessee Department of Corrections, Investigative Unit Special Agents for investigation and prosecution when warranted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (i) Tennessee Department of Corrections - Northwest Correctional Complex retains all written reports for as long as the alleged abuser is incarcerated or employed by Tennessee Department of Corrections - Northwest Correctional Complex, plus five years. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (j) The departure of the alleged abuser or victim from employment or control of the Tennessee Department of Corrections - Northwest Correctional Complex or agency does not provide a basis for terminating an investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (k) The Tennessee Department of Corrections, Investigative Unit Special Agents conducts criminal sexual abuse investigations pursuant to the requirements of this standard. Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2, outlines the requirements of the criminal investigation and complies with all aspects of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (l) Tennessee Department of Corrections - Northwest Correctional Complex refers all criminal cases to the Tennessee Department of Corrections, Investigative Unit Special Agents and cooperates with their investigators during the entire investigation. The facility remains informed of the progress of the investigation through communication between the facility investigator and the Tennessee Department of Corrections, Investigative Unit Special Agent(s) handling the case. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.72 – Evidentiary Standard for Administrative Investigations

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section I, subsection 4 on page 7 and investigative staff interviews. The following delineates the audit findings regarding this standard:

Tennessee Department of Corrections - Northwest Correctional Complex shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. When the investigator was asked what standard of evidence was used in determining if an allegation is substantiated, the agency's policy was recited confirming compliance with the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.73 – Reporting to Inmate

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section J, on page 7, documentation provided, and staff and reporting inmate interviews. The following delineates the audit findings regarding this standard:

115.73 (a) Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy, interviews with the investigator and the reporting inmates, as well as documentation provided, it was confirmed that following an investigation into an inmate's allegation he/she suffered sexual abuse in the facility, the inmate was informed whether the allegation had been determined to be substantiated, unsubstantiated, or unfounded. The documentation provided confirmed the inmates were provided this notification on the "Inmate PREA Allegation Status Notification" form. The inmates are required to sign the form documenting acknowledgement of this notification as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (b) Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy, the agency does request all relevant information from the criminal investigation conducted by the Tennessee Department of Corrections, Investigative Unit Special Agents, in order to inform the inmate as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (c) Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy, interviews with the investigator and the reporting inmates, as well as documentation provided, it was confirmed that following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

- (1) The staff member is no longer posted within the inmate's unit;
- (2) The staff member is no longer employed at the facility;

- (3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the Tennessee Department of Corrections - Northwest Correctional Complex; or
- (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the Tennessee Department of Corrections - Northwest Correctional Complex

The documentation provided confirmed the inmates were provided this notification on the "Inmate PREA Allegation Status Notification" form. The inmates are required to sign the form documenting acknowledgement of this notification as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (d) Based on Tennessee Department of Corrections - Northwest Correctional Complex PREA policy, interviews with the investigator and the reporting inmates, as well as documentation provided, it was determined that following an inmate's allegation they had been sexually abused by another inmate, Tennessee Department of Corrections - Northwest Correctional Complex subsequently informs the alleged victim whenever the facility learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or Tennessee Department of Corrections - Northwest Correctional Complex learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. The documentation provided confirmed the inmates were provided this notification on the "Inmate PREA Allegation Status Notification" form. The inmates are required to sign the form documenting acknowledgement of this notification as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (e) All such notifications or attempted notifications are documented at the Tennessee Department of Corrections - Northwest Correctional Complex. This was determined based on a review of the Tennessee Department of Corrections - Northwest Correctional Complex PREA policy, interviews with the investigator and the reporting inmates, as well as a review of the "Inmate PREA Allegation Status Notification" form maintained in the investigative file. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (f) Policy outlines the agency's obligation to report under this standard terminates if the inmate is released from Tennessee Department of Corrections - Northwest Correctional Complex's custody. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.76 – Disciplinary sanctions for staff

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section K, on page 7, documentation provided, agency head, and PREA Coordinator interviews. The following delineates the audit findings regarding this standard:

115.76 (a) and (b) Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.

Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.76 (c) Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.76 (d) All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.77 – Corrective action for contractors and volunteers

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section M, on page 8, documentation provided, agency head, Warden, and PREA Coordinator interviews. The following delineates the audit findings regarding this standard:

115.77 (a) Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to Tennessee Department of Corrections, Investigative Unit Special Agents, unless the activity was clearly not criminal, and to relevant licensing bodies. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.77 (b) Tennessee Department of Corrections - Northwest Correctional Complex takes appropriate remedial measures, and considers whether to prohibit further

contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.78 – Disciplinary sanctions for inmates

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based upon review of Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section L, on page 8, documentation provided, agency head, Warden, and PREA Coordinator interviews. The following delineates the audit findings regarding this standard:

115.78 (a) Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (b) Sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (c) The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (d) The Mental Health staff offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, Tennessee Department of Corrections - Northwest Correctional Complex does not require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (e) Tennessee Department of Corrections - Northwest Correctional Complex disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (f) Policy states a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence

sufficient to substantiate the allegation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (f) Tennessee Department of Corrections - Northwest Correctional Complex prohibits all sexual activity between inmates and may discipline inmates for such activity. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.81 – Medical and mental health screenings; history of sexual abuse

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on medical and mental health staff interviews and documentation provided as well as Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.3 section B, on pages 3 and 4. The following delineates the audit findings regarding this standard:

115.81 (a) and (c) If the screening indicates the inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, the screening staff at the Tennessee Department of Corrections - Northwest Correctional Complex ensures the inmate is offered a follow-up meeting with the medical and/or mental health staff within 14 days of the intake screening as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (b) If the screening indicates an inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, the screening staff at the Tennessee Department of Corrections - Northwest Correctional Complex ensures the inmate is offered a follow-up meeting with mental health staff within 14 days of the intake screening as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (d) Tennessee Department of Corrections - Northwest Correctional Complex requires that any information related to sexual victimization or abusiveness that occurred in the facility is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (e) Tennessee Department of Corrections - Northwest Correctional Complex requires medical and mental health practitioners to obtain informed consent from inmates before reporting information about prior sexual victimization that did not

occur in the facility, unless the inmate is under the age of 18. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.82 – Access to emergency medical and mental health services

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on medical and mental health staff interviews and documentation provided as well as Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.3 section B, on pages 3 and 4. The following delineates the audit findings regarding this standard:

115.82 (a) Tennessee Department of Corrections – Northwest Correctional Complex utilizes the following hospital to treat inmate victims of sexual abuse: Jackson General Hospital in Jackson, Tennessee. The facility also has medical and mental health staff at the facility ensuring inmates 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (b) Tennessee Department of Corrections - Northwest Correctional Complex has procedures to follow when no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (c) Tennessee Department of Corrections - Northwest Correctional Complex ensures inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (d) Tennessee Department of Corrections - Northwest Correctional Complex requires that all treatment services provided to the victim are without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.83 – Ongoing medical and mental health care for sexual abuse

victims and abusers

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on medical and mental health staff interviews, documentation provided, and Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.3 section B, subsection 3 on page 5. The following delineates the audit findings regarding this standard:

115.83 (a) Tennessee Department of Corrections - Northwest Correctional Complex offers medical and mental health evaluations and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (b) Tennessee Department of Corrections - Northwest Correctional Complex mandates that 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (c) Tennessee Department of Corrections - Northwest Correctional Complex requires that medical and mental health staff provide all victims with medical and mental health services consistent with the community level of care. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (d and e) Based on Tennessee Department of Corrections - Northwest Correctional Complex is an all male facility. Therefore, these parts of this standard are not applicable.

115.83 (f) Tennessee Department of Corrections - Northwest Correctional Complex requires that medical and mental health staff provide inmate victims of sexual abuse while incarcerated tests for sexually transmitted infections as medically appropriate. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (g) Tennessee Department of Corrections - Northwest Correctional Complex requires that medical and mental health staff provide treatment services 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (h) Tennessee Department of Corrections - Northwest Correctional Complex attempts to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning such abuse history and offer treatment when deemed appropriate by the mental health practitioners. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.86 – Sexual abuse incident reviews

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Based on interviews with the Warden, PREA Coordinator, the PREA Manager, and documentation provided as well as Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06.2 section F, on page 5. The following delineates the audit findings regarding this standard:

115.86 (a) Tennessee Department of Corrections - Northwest Correctional Complex conducts 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (b) Tennessee Department of Corrections - Northwest Correctional Complex ensures that these reviews occur within 30 days of the conclusion of the investigation and documents the review on the "Sexual Abuse Incident Review Report" form. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (c) The review team consist of upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (d) The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; and they examine the area in Tennessee Department of Corrections - Northwest Correctional Complex where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement

supervision by staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (e) Tennessee Department of Corrections - Northwest Correctional Complex implements the recommendations for improvement, or shall document its reasons for not doing so per agency policy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.87 – Data Collection

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06 sections R, page 7. The following delineates the audit findings regarding this standard:

115.87 (a), (b) and (c) Tennessee Department of Corrections - Northwest Correctional Complex collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually.

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (d) Tennessee Department of Corrections - Northwest Correctional Complex maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (e) Tennessee Department of Corrections - Northwest Correctional Complex obtains incident-based and aggregate data from every private facility the Tennessee Department of Corrections has a contract with to confine their inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (f) Upon request, Tennessee Department of Corrections - Northwest Correctional Complex provides all such data from the previous calendar year to the Department of Justice no later than June 30 when required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.88 – Data Review for Corrective Action

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06 sections R, page 7. The following delineates the audit findings regarding this standard:

115.88 (a) Tennessee Department of Corrections - Northwest Correctional Complex reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Tennessee Department of Corrections as a whole. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (b) Such reports includes a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of Tennessee Department of Corrections - Northwest Correctional Complex's progress in addressing sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (c) Tennessee Department of Corrections - Northwest Correctional Complex's report is approved by the Commissioner of Corrections for the State of Tennessee and made readily available to the public through its website <http://www.tn.gov/correction/article/prison-rape-elimination-act-of-2003>. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (d) Tennessee Department of Corrections - Northwest Correctional Complex may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of the facility, but must indicate the nature of the material redacted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.89 – Data Storage, Publication, and Destruction

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Tennessee Department of Corrections - Northwest Correctional Complex PREA policy 502.06 sections S, page 7. The following delineates the audit findings regarding this standard:

115.89 (a) through (d) Tennessee Department of Corrections agency PREA Coordinator makes all aggregated sexual abuse data, from facilities under the Tennessee Department of Corrections direct control readily available to the public at least annually through the agency website:

<http://www.tn.gov/correction/article/prison-rape-elimination-act-of-2003>.

All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or Local law requires otherwise. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

AUDITOR CERTIFICATION:

I certify that:

- X The contents of this report are accurate to the best of my knowledge
- X No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- X I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

Rodney P. Bivens

Auditor Signature

May 2, 2016

Date