

PREA Facility Audit Report: Final

Name of Facility: Riverbend Maximum Security Institution

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 04/28/2023

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
Auditor Full Name as Signed: Debra D. Dawson	Date of Signature: 04/28/2023

AUDITOR INFORMATION	
Auditor name:	Dawson, Debra
Email:	dddawsonprofessionalaudits@gmail.com
Start Date of On-Site Audit:	03/29/2023
End Date of On-Site Audit:	03/31/2023

FACILITY INFORMATION	
Facility name:	Riverbend Maximum Security Institution
Facility physical address:	7475 Cockrill Bend Boulevard, Nashville, Tennessee - 37209
Facility mailing address:	7475 Cockrill Bend Boulevard, Nashville, Tennessee - 37243

Primary Contact	
Name:	Brandi McClure
Email Address:	Brandi.W.McClure@tn.gov
Telephone Number:	615-829-9410

Warden/Jail Administrator/Sheriff/Director	
Name:	Tony Mays
Email Address:	Tony.I.Mays@tn.gov
Telephone Number:	615-350-1101

Facility PREA Compliance Manager	
Name:	Brandi McClure
Email Address:	brandi.w.mcclure@tn.gov
Telephone Number:	O: (615) 829-9410

Facility Health Service Administrator On-site	
Name:	Kyla Solomon
Email Address:	KSolomon@TeamCenturion.com
Telephone Number:	615-350-3100 ext 368

Facility Characteristics	
Designed facility capacity:	844
Current population of facility:	727
Average daily population for the past 12 months:	745
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	18-75
Facility security levels/inmate custody levels:	Minimum trustee to Max and deathrow
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	241
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	77
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	150

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

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

Agency-Wide PREA Coordinator Information			
Name:	Blake Pollock	Email Address:	Blake.H.Pollock@tn.gov

SUMMARY OF AUDIT FINDINGS	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
Number of standards exceeded:	
2	<ul style="list-style-type: none"> • 115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator • 115.41 - Screening for risk of victimization and abusiveness
Number of standards met:	
43	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2023-03-29
2. End date of the onsite portion of the audit:	2023-03-31

Outreach

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

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	808
15. Average daily population for the past 12 months:	744
16. Number of inmate/resident/detainee housing units:	22
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	749
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	7
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	1
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	38
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	19
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	0

<p>43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</p>	<p>3</p>
<p>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</p>	<p>5</p>
<p>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>No text provided.</p>
<p>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</p>	
<p>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</p>	<p>239</p>

<p>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>96</p>
<p>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>71</p>
<p>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</p>	<p>No text provided.</p>

INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>27</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<p> <input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None </p>

<p>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</p>	<p>The auditing team requested an inmate roster of inmates from each housing unit to include age, race, and date of arrival</p>
<p>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>No text provided.</p>
<p>Targeted Inmate/Resident/Detainee Interviews</p>	
<p>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>15</p>
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<p>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>5</p>

<p>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>3</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>2</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The auditing team questioned various staff and the inmate population during interviews</p>

<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Per staff who conduct risk screening, random and targeted group staff, staff did not identify any inmates as gay, or bi-sexual</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Per staff who conduct risk screening, random and targeted group staff, there has not been an inmate assigned at the facility identified as transgender.</p>

<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>3</p>
<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>1</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Per supervisory staff and investigative case files, there were zero inmates housed in segregated housing/isolation for risk of sexual victimization</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>No text provided.</p>

Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

71. Enter the total number of RANDOM STAFF who were interviewed:	23
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.

Specialized Staff, Volunteers, and Contractor Interviews

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

75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	23
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76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

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

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

	<input checked="" type="checkbox"/> Intake staff <input type="checkbox"/> Other
81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of VOLUNTEERS who were interviewed:	1
b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Mental health/counseling <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other
82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of CONTRACTORS who were interviewed:	2
b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Security/detention <input checked="" type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input checked="" type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other

83. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.
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SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

84. Did you have access to all areas of the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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Was the site review an active, inquiring process that included the following:

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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<p>87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>88. Informal conversations with staff during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>No text provided.</p>
<h2 style="text-align: center;">Documentation Sampling</h2>	
<p>Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.</p>	
<p>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>No text provided.</p>

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	4	2	2	2
Staff-on-inmate sexual abuse	5	0	5	0
Total	9	1	8	1

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	9	0	9	0
Staff-on-inmate sexual harassment	25	0	25	0
Total	34	0	34	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
Inmate-on-inmate sexual abuse	0	2	1	0	0
Staff-on-inmate sexual abuse	0	0	0	0	0
Total	0	2	1	0	0

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	1	1	2
Staff-on-inmate sexual abuse	0	4	0	1
Total	0	5	1	3

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:	9
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<p>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
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Inmate-on-inmate sexual abuse investigation files

<p>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>4</p>
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<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
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<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
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Staff-on-inmate sexual abuse investigation files

<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>5</p>
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<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
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<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
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Sexual Harassment Investigation Files Selected for Review

<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>16</p>
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<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
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Inmate-on-inmate sexual harassment investigation files

<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>6</p>
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<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
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<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
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Staff-on-inmate sexual harassment investigation files

111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	10
112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.	There were zero criminal investigations identified and/or completed for staff on inmate sexual abuse and/or sexual harassment

SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the TOTAL NUMBER OF DOJ-CERTIFIED PREA AUDITORS who provided assistance at any point during this audit:	1

Non-certified Support Staff

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

Yes

No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

The audited facility or its parent agency

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

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

Other

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART (Sexual Abuse Response Teams) 3. TDOC Index 502.06 PREA Implementation, Education and Compliance 4. RMSI Organizational Chart and TDOC Organization Chart 5 Interviews with: <ol style="list-style-type: none"> a. TDOC State-wide PREA Coordinator (PREA Correctional Program Director II) b. RMSI PREA Compliance Manager (PCM) <p>115.11(a) The agency and facility have a comprehensive written policy that mandates zero tolerance toward all types of sexual abuse and sexual harassment. Index TDOC.502.06 states it is the policy of the TDOC to provide a safe, human, and appropriately secure environment, free from a threat of sexual abuse and sexual harassment for all inmates, by maintaining a program of prevention, detection, response, investigation, and tracking of all alleged and substantiated sexual assaults and sexual harassment. The Directive clearly outlines the agency’s zero tolerance policy and identifies the agency’s approach to the prevention, detection, and response to sexual assault incidents in their facility. The Directive includes definitions of prohibited behaviors regarding sexual abuse and sexual harassment that are consistent with the PREA standards. The Directive also outlines sanctions for those that have participated in such prohibited behaviors to include staff, contractors, volunteers, and the inmate population.</p> <p>TDOC 502.06 indicates each PREA Site Coordinator and /or PREA Compliance Manager shall ensure unannounced PREA-free walk (inspection) is conducted monthly in accordance with PREA Inspection Team Worksheet, CR-3821. This inspection shall be conducted to identify and deter sexual abuse and sexual harassment. By the 15th of each month, the Warden/Superintendent/Designee shall submit the facility’s previous month’s PREA Inspection to the Assistant Commissioner of Prisons. The Assistant Commissioner of Prison/designee shall compile all the facility reports and forward to each Assistant Commissioner, Deputy Commissioner, Inspector General, PREA Correctional Program Director II, and Director of Decision Support: Research and Planning for review.</p> <p>In addition to TDOC Index 502.06 PREA Implementation, Education and Compliance.</p>

The Department also developed TDOC Index 502.06.2 PREA Allegations, Investigations, and SART (Sexual Abuse Response Teams). This policy outlines the duties and responsibilities of staff designated to serve on an organized and structure team responsible for developing and maintaining a program of prevention, detection, response, investigation, and tracking of sexual assaults and those persons involved. The Head of Agency Designee, Warden and PREA Correctional Program Director II indicated monthly PREA walks, meetings, and reports are conducted in accordance with TDOC policy and inspection standards such as why an incident occurred in a particular area, and what corrective actions could be applied if applicable. SART members review security equipment and submit recommendations for mirrors and video placement that could serve as a level of protection for inmates from sexual assault or sexual abuse during the monthly walk through. A work order is submitted as needed and is required to be completed within 30 days of submission. The designated victim advocates are also members of the SART. Copies of completed monthly PREA walkthroughs conducted by the SART for each of the 12-month review period was provided for review. The meeting minutes documents concerns noted to include but not limited to camera workorders, identifying the need for additional cameras, unsecured doors, quizzing staff on their responsibility as a first responder to an allegation of sexual abuse, etc. notifications are forwarded to the Associate Warden (T) and corrective measures are taken.

115.11(b) The agency has designated a PREA Correctional Program Director II/TDOC State-wide PREA Coordinator, who is assigned the duties of overseeing the agency's efforts regarding PREA in all its facilities. The agency's organizational chart was reviewed. The chart shows the PREA Correctional Program Director II 's position reports directly to the Director of Compliance Audit I. Per an interview with PREA Correctional Program Director II, he confirmed he has the time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all its facilities.

115.11(c) The facility has a PREA Coordinator who holds the position of Associate Warden (T) who reports directly to the Warden. The organizational chart also identifies an on-site RMSI PREA Compliance Manager (PCM) who is responsible for ensuring the facility's compliance with PREA standards. The facility's organizational chart was provided for review. The chart shows the PCM position as a dedicated position who reports directly to the Warden and Assistant Warden (T)/RMSI PREA Coordinator. The auditor interviewed the PCM and confirmed that she has time to oversee the facility's efforts to comply with the PREA standards.

Based on the review of policies, organization charts, responsibilities of the SART that includes monthly walk-throughs to identify and address any concerns with safety in the prevention of sexual abuse and their attention in detail to identify the necessary corrective actions to include on the spot, in addition to interviews and observation during the site visit, RMSI exceeds in meeting the mandate of the standard provision.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. Administrative III PREA Standards for Adult Prisons & Jail CORE CIVIC FACILITY 3. Interview: <ol style="list-style-type: none"> a. PREA Correctional Program Director II / Agency Contract Monitor <p>115.12 RMSI does not contract for the confinement of its inmates. However, the Tennessee Department of Corrections does have 4 contracts for the confinement of inmates, and all are monitored by the Contract Monitoring Division within the Office of the Inspector General. TDOC Index 502.06 states employees of privately managed facilities shall receive PREA training as part of the pre-service and in-service training requirements established by the contractor and approved by TDOC.</p> <p>The Director of Contracts Administration shall ensure that all new TDOC contracts or contract renewals include language requiring compliance with the PREA standards. The TDOC has entered four contracts for the confinement of inmates with a private agency (Core Civic). Interview with the PREA Correctional Program Director II who also conduct monitoring of the contract indicated he communicates with the contracting agencies and addresses any concerns regarding maintaining compliance with all PREA standards. A review of the contracts indicated the requirement for each facility to maintain PREA certification as a condition of the contracts is documented. Contract facilities utilize the Administrative III PREA Standards for Adult Prisons & Jail 115.11-115.89 audit tool for CORE Civic Facility as a monitoring tool. The facilities' most recent PREA audits were submitted as the following: Hardeman County Correctional Facility on August 26, 2020; South Central Correctional Center on December 26, 2021; Whiteville Correctional Facility on September 16, 2020; Trousdale Turner Correctional Center most recent posted PREA audit is noted as August 11, 2021.</p> <p>Based on the review of the contracts, review of the agency's website, audit reports and interview, the facility has demonstrated compliance with all provisions of this standard.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06 PREA Implementation, Education and Compliance 3. RMSI Post Assignment Rosters 4. Master Post Assignment Schedule, CR3370 5. RMSI Annual Staffing Review 6. Logbooks documenting unannounced rounds. 7. Observation while on-site 8. Interviews with: <ol style="list-style-type: none"> a. Warden b. Intermediate or Higher-Level Staff c. PREA Correctional Program Director II <p>115.13(a) (b) (c) TDOC Index 502.06 states Each facility shall develop a staffing pattern that provides for adequate levels of staff and monitoring to protect inmates against sexual abuse. By July 1st of each calendar year each facility shall assess, determine, and document whether adjustments are needed to the facility staffing plan. This review will follow the guidelines of PREA Standard 15.13 (a), (b) and (c). This review shall be completed on the PREA Annual Staffing Review form CR-3964. A copy of the RMSI 2022 Staffing Plan was presented for review and included the review of all elements per the standard provision and is documented on an agency-wide standardized form. The facility staffing plan is developed with minimum operational staffing levels in mind and a daily staff roster is reviewed to ensure adequate staff in accordance with the stated staffing plan. The average daily number of inmates since the last PREA audit was identified as 744 and the average daily number of inmates on which the staffing plan was predicated for was 744. The staffing plan considers all the criteria required for a staffing plan as required in this standard and provides areas for narrative, and any recommendations. The daily rosters identify positions and staffing requirements for those positions and reconciles the staffing deployment in accordance with the position requirements outlined in the staffing plan. An interview with the Warden explained the staffing plan is reviewed annually by him, the Chief of Security, Facility PREA Coordinator, TDOC PREA Coordinator and the Associate Warden of Security. He added the Staffing Plan is developed to protect the inmates from sexual abuse and ensuring sufficient staffing is critical in providing safety for the</p>

inmates. All factors as required by the standard provisions are considered in the development and review which is annually. He is required to submit a request for any changes to the post assignment rosters to the Assistant Commissioner of Prisons for approval in advance of changes. The review of the Staffing Plan is always submitted to the Central Office not later than July 1st of each year. Interviews with the PREA Correctional Program Director II, Warden and RMSI PREA Compliance Manager indicated the facility does conduct a staffing plan review at least annually that includes the elements of the standard provision. A copy of the most recent RMSI Staffing Plan documented the requirements of the standard provisions. The Staffing Plan was reviewed by the Chief of Security, Associate Warden of Security, Associate Warden of Treatment/ Facility PREA Coordinator, Warden, on July 28, 2022, and a final review by the PREA Correctional Program Director II on August 1, 2022. A copy of the RMSI Post Assignment Roster identifies the staffing level while also identifying correctional posts as critical, non-critical and those posts that are to be rotated after 4 hours. The RMSI Master Post Assignment Schedule, CR3370 was signed by the RMSI Warden on October 27, 2022, with a final review by the Assistant Commission of Prison dated November 1, 2022. All critical posts are filled whether by the reassignment of staff on non-critical posts, overtime and/or the assignment of management staff. Security supervisors are required to document all instances in which the Staffing Plan would be compliant with the Staffing Plan in addition to all changes made after the creation of the roster. The facility identified the most common reason for deviation from the Staffing Plan would be due to staff shortages.

The auditor randomly selected security staff rosters for various days throughout the review period and confirmed there were no areas of noncompliance with the staffing plan. All critical posts were filled by staff assigned to overtime and/or the reassignment of staff from a non-critical post. Vacated positions are also often by upper-management staff to ensure proper coverage and compliance with the Staffing Plan.

Per an interview with the Chief of Security and Warden, staff assigned to other TDOC agencies often volunteer to work overtime to fill vacant positions. These staff are assigned to correctional services positions based on their security experience and certification. The auditing team identified the staffing level as adequate and prevalent throughout the institution throughout the visit on each day and during all shifts.

The review of the monthly unannounced PREA walk-throughs conducted by members of the SART assist in the monitoring of the Staffing Plan by identifying possible blind spots, camera concerns to include a request for additional cameras, the submissions of needed work orders, security staffing levels on assignments, and the review of PREA investigations during incident reviews.

115.13(d) TDOC #502.06 states Staff, Security Shift Corporal and above, Unit Managers, and /or Administrative Duty Officer, shall conduct and document unannounced round to identify and deter sexual abuse and sexual harassment. The unit/program logbook shall be annotated with Unannounced PREA Inspection/Security Check when signing into the unit /program area. The documentation shall be made in red ink only. Any staff member alerting other staff members that these unannounced

rounds are occurring will be subject to appropriate disciplinary action. Throughout the tour, the auditor reviewed logbooks in all housing units for the 12-month review period. The documentation of unannounced rounds was noted in red ink and were identified as conducted throughout the shifts by various supervisors to include security and unit management in addition to the Warden, Associate Wardens, and other department head staff. Interviews conducted with security supervisory staff stated they visit the housing units throughout each shift while alternating the time of visits that prevents staff and inmates from advance notice of their arrival.

Based on the review of the annual RMSI Staffing Plan, the Master Post Assignment roster, documentation of unannounced PREA rounds, review of daily correctional rosters that confirms no discrepancies in meeting the mandate of the facility's Staffing Plan and interviews with staff, RMSI does meet all provisions of the standard.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none">1. RMSI Completed Pre-Audit Questionnaire2. TDOC Index 506.14.2 Housing, Programming of Youth Inmates3. Observation during onsite tour4. Interviews with the following:<ol style="list-style-type: none">a. Associate Warden (T)/Facility PREA Coordinatorb. Staffc. Inmates <p>TDOC 506.14.2 indicates for the purpose of the policy only, juvenile offenders are persons between the ages of 16 and 18 who are sentenced and committed to the TDOC by court having adult criminal jurisdiction. Review of the PAQ, policy and interviews confirmed the facility does not house youthful inmates. The RMSI PAQ, and Associate Warden (T)/Facility PREA Coordinator identified the age range of inmates housed at the facility are between 18-75 years old. Interviews with staff and the inmate population confirmed no awareness of inmates housed at the facility under the age of 18 years old.</p> <p>Based on the review of the PAQ, policy, observation, interviews and analysis, the facility does not house inmates under the age of 18 years old and therefore, has demonstrated compliance with all provisions of this standard.</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06 PREA Implementation, Education, Compliance 3. TDOC Index 112.08-1 Personal Hygiene Resources for Inmates 4. TDOC Index 506.06 Searches 5. TDOC Index 113.37 Gender, Dysphoria, Transgender, Transsexual, Intersex and Gender Non-Conforming 6. TDOC 305.03 Employee /Offender Interaction 7. TCA Lesson Plan- Personal Searches 8. Training records 9. On-site Observation 10. Interviews with: <ol style="list-style-type: none"> a. Random staff b. Inmate Population <p>115.15(a) TDOC Index 502.06 states security staff shall be trained on how to conduct cross-gender frisk searches, and searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. TDOC Index 113.37 states that should circumstances allow, staff should consult with a transgender or intersex inmate before conducting a search to determine the inmate’s preference in the gender of the officer conducting the search. TDOC Index 506.06 Searches states that routine strip searches and/or visual body cavity searches will occur in authorized areas. Searches based on reasonable suspicion require the Warden’s authorization. Staff interviews did not indicate any cross-gender strip or cross-gender visual body cavity searches of inmates, including any exigent circumstances, conducted by security or medical staff. The PAQ listed zero cross-gender strip or cross-gender visual body cavity searches of inmates in the past 12 months. RMSI houses adult male inmates only.</p> <p>115.15(b) TDOC Index 506.06 states, “Female correctional officers may frisk search inmates of both genders”. Male correctional officers may only frisk search male inmates. Discussion with staff and on-site observations verified RMSI utilizes female staff to conduct male frisk searches only. Interviews with staff and the inmate population indicated female staff do not conduct visual searches of the male inmates.</p>

RMSI is an adult male facility and does not house female inmates.

115.15(c) Body cavity searches require prior written authorization from the managing official or designee before conducting a body cavity search. The facility reported zero cross-gender strip or cross-gender visual body cavity searches of inmates including any exigent circumstances, conducted by security or medical staff in the past 12 months. Staff interviews did not indicate any occurrence of cross-gender strip or cross-gender visual body cavity searches of inmates, including any exigent circumstances, conducted by security or medical staff in the past 12 months. Interviews with both random and target group inmates did not indicate any occurrence of cross-gender viewing by staff during a strip search. The facility reported zero visual cavity searches during the 12-month review period.

115.15(d) TDOC 305.03 stated "When staff of the opposite gender entering an inmate housing unit, he/she shall announce his/her presence. Each Warden /Superintendent shall ensure that this language is provided in the applicable post order governing inmate housing, living quarters, etc. The auditing team observed the staff of the opposite sex announcement posted at all enter upon entering each housing unit. This practice was observed during the tour. Additionally, during interviews with 27 random inmates and 15 targeted inmates acknowledged the female staff announces their presence as "Female on the pod" upon entering. Staff interviews also indicated it is a common practice of the opposite gender announce upon entering the inmate housing units. There were no inconsistencies in this practice identified.

RMSI 112.08-1 governs the facility's' mandate of the standard provision that states, "Transgender and inters inmates shall be given the opportunity to shower separately from other inmates." The auditing team observed the facility has implemented procedures that allow inmates to shower, change clothes, and use the toilet without being viewed by staff of the opposite gender. All housing units were observed to have shower doors and curtains in place that allow inmates to use toilet and shower facilities without being observed by staff of the opposite gender. Inmates indicated they were not able to be viewed by opposite gender staff when using the toilet, showering, or changing clothes. The facility identified there were zero inmates identified as transgender and/or intersex during the review period and/or during the site visit. However, interviews with staff indicated inmates identified as such would be allowed to shower at a separate time from the general population inmates.

115.15(e) TDOC Index 506.06 Searches regarding strip searches of transgender and intersex inmate's states, "A strip search of a transgender or intersex inmate may not be conducted for the sole purpose of determining the inmate's genital status." If an inmate's status is unknown, it may be determined by conversation with the inmate, a review of available medical records, or as part of a broader medical examination conducted in private by a licensed medical professional. All staff interviewed reported that the facility prohibits staff from searching or physically examining transgender or intersex inmates for the sole purpose of determining genital status. There were zero inmates identified as transgender and/or intersex during the 12-month review period and/or during the site visit.

115.15(f) TDOC Index 506.06 defines the term “Frisk Search” as a search not requiring the removal of all clothing. It is conducted by running your hands across clothing to detect hidden objects.” Policy notes that frisk searches may be conducted by female staff on male inmates. Likewise, policy also states, “Males shall not conduct searches of females” except during exigent circumstances a managing official or a designee may authorize a male officer to conduct a frisk search on a female inmate provided that the officer does not touch the breast or genital area of the inmate. Strip searches are performed exclusively by two staff of the same gender this including a provision for transgender or intersex inmates who prefer to be searched by a specific gender of staff. The facility provides training on LGBTI and Frisk/ Body Searches, Restraints, and Scanning Devices. Training topics, including definitions, were found to be consistent with the definitions contained in the standards. The Shift Commanders also conduct Personal Search training during security staff shift briefings and document the training provided. The Pre-Audit Questionnaire noted that 100% of staff have been trained. Random staff interviews indicate they received training regarding cross gender, transgender, and intersex search procedures. Confirmation of 34 security staff completion of Search training that include how searches of transgender inmates was submitted for review. There were zero inmates who identify as transgender and/or intersex at the facility for an interview. There were no exigent circumstances identified in the past 12 months that required a cross gender visual search by female staff on a male inmate.

Based on the review of policies, Search training lesson plan and search training documentation interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.

<p>115.16</p>	<p>Inmates with disabilities and inmates who are limited English proficient</p>
<p>Auditor Overall Determination: Meets Standard</p>	
<p>Auditor Discussion</p>	
<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06 PREA Implementation, Education, and Compliance 3. TDOC Index 103.10.1 Title VI – Limited English Proficiency (LEP) 4. RMSI LEP Program Plan 5. Translation Services Documentation and Contract 6. On-site Observation 7. Interviews with: <ol style="list-style-type: none"> a. Agency Head b. Inmates with Disabilities c. Random Staff <p>115.16(a)(b) TDOC Index 502.06 states staff shall ensure written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skill, or who are blind or have low vision. Agency policy also requires that, except under limited circumstances where a delay in obtaining an effective interpreter could compromise the inmate’s safety, the performance of the first responder duties, or the investigation of an inmate’s allegation; inmate interpreters, inmate readers, or other types of inmate assistance are not used to communicate information required under this directive for other inmates.</p> <p>TDOC Index 103.10.1 policy indicates an assessment during the intake process will determine if the inmate requires language or literacy assistance. The review of “Plan for Providing Inmates with Limited English Proficiency Access to Programs and Activities (As required by the Civil Rights Act of 64) outlines the specifics for ensuring methods are identified for communicating with inmates who are LEP. The plan identifies the duties of staff within the various facility departments to include but not limited to medical/mental health services, classification assignment and hearing; disciplinary procedures, grievance procedures, education /programs, housing assignment, court appearances, and parole hearings. The plan lists outside agencies that are available to provide a variety of services for inmates with a range of disabilities to include LEP. The inmate will be offered a Language Identification Guide to make the determination of their language and/or disability. An interpreter will be</p>	

provided through utilization of institution staff, volunteers, or contract interpreters to determine the extent of their proficiency. A list of bilingual staff is identified within the plan, and it is updated as needed. The most recent RMSI Plan for Providing Inmates with Limited English Proficiency Access to Program and Activities. The facility plan was signed by the Warden on June 1, 2022. The current plan lists two (2) staff with bilingual abilities in the languages of Spanish and Russian. Staff documents the provision of an interpreter by name on E-TOMIS Contact Notes (LCDG). However, there were no required services for translation services during the review period. There were no inmates identified as LEP during the review period and/or site visit.

During the intake process, inmates identified as LEP are allowed to identify their language via usage of the Language Identified Guide within the RMSI Plan for Providing Inmates with Limited English Proficiency Access to Program and Activities. At orientation inmates are provided a copy of the Inmate Handbook that covers the agency's zero-tolerance policy. This information is provided in English and Spanish. Additionally, inmates also participate in a PREA video that specifically covers PREA topics to include the agency's zero-tolerance policy; how to report sexual abuse and sexual harassment; agency policy regarding sexual abuse and sexual harassment; and inmate rights regarding sexual abuse, sexual harassment, and retaliation. The video presentation has audio and is also available in Spanish. Sign language services are available through Statewide Visual Communication Services. This information is explained verbally by staff to those inmates with mental disabilities within a manner they can understand. An Interagency agreement between the State of Tennessee Department of Corrections and Tennessee Foreign Language Institute has been established for the contractor to provide qualified language interpreter services for non-English speaking inmates. The most recent Interagency Agreement between the State of Tennessee Department of Corrections and the University of Tennessee was dated with an effective date of July 1, 2021, through June 30, 2023, to provide interpretation and translation services. These services are available as needed for the inmate population. The Tennessee Language center is a telephonic interpreter that can be accessed by dialing 877-346-1674 from an institution phone upon providing the required authorized information that incurs a minimum cost for usage. Over 200 languages are available to facilitate most every communication that could be encountered by staff. The most frequent translation services are used for the Spanish language and not by the Tennessee Language Center.

The TDOC Agency Head Designee indicated the agency has established procedures to provide inmates with disabilities and inmates who are LEP equal opportunities to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, and she acknowledges these programs can always be strengthened. However, TDOC strives to ensure all offenders regardless of their disability or ability to speak English are afforded equal opportunities to all aspects of the agency's' PREA program. Contracts exist for medical, mental health and translation services to provide services to these offenders. Offenders are identified at orientation with a particular need and are given information related to issues they might experience related to PREA. For someone who has an identified physical or mental health issue, medical and mental health

monitor and meet with those individuals regularly to ensure they have equal access to programs especially PREA. Modifications are made to ensure the offender understands (i.e., sign language for deaf inmates.).

For the LEP offenders, there are two state contractual agreements for services and there are in-house translators on staff that can converse in the language of Spanish and Russian. The following inmates were identified and interviewed within this standard: 5 - physically disabled; 2- hard of hearing; 3 - with low vision; 1- cognitive disability. There were no inmates designated at the RMSI identified as Limited English Proficient by staff within the inmate population. Interviews with each of the inmates with disabilities stated they were provided PREA education in a manner they were able to understand while observing the PREA video, through hearing, reading and/or during the verbal presentation by staff. All were aware of how to report an allegation of sexual abuse and sexual harassment that included their awareness of the PREA Hotline numbers posted throughout the facility.

115.16(c) TDOC Index 502.06 states, "Inmate interpreters, inmate readers, or other types of inmate assistance are not used to communicate information required under this directive to other inmates, except under limited circumstances where a delay in obtaining an effective non-inmate interpreter would compromise the inmate's safety, the performance of first responder duties, or the investigation of an inmate's allegation. TDOC 103.01 stated "No institution or community supervision office shall relay on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first responder duties or the investigation of an inmates' allegations under CFR 115.64 and Policy #502.06.2. Interviews with 23 random staff confirmed they would not utilize inmates as translators for an inmate when reporting a PREA allegation. Each stated they would notify the Shift Commander who would arrange for appropriate translation services.

Based on the review of policies, Interagency Agreement between the State of Tennessee Department of Corrections and the University of Tennessee, interviews with staff, inmates with disabilities, the facility has demonstrated compliance with all the provisions of this standard.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 301.04 Job Requirements 3. TDOC PREA Self Declaration Form 4. TDOC PREA Questionnaire for Prior Institution Employees 5. Hiring and Promotional Records 6. Criminal History Background Records Check Documentation 7. Interviews with: <ol style="list-style-type: none"> a. Human Resources Administrator b. RMSI Religious Services Chaplain <p>115.17(a) (b) TDOC Index 301.04 states All applicants for employment or promotions, all contract employees, and all volunteers who may have any contact with offenders, shall sign PREA Self-Declaration for Sexual Abuse /Sexual Harassment, CR-3819 to ensure compliance with PREA Standard #115.17 which states the agency shall not hire or promote anyone who may have contact with inmates and shall not enlist the services of any contractor, who may have contact with inmates. who: a) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution. b) has been convicted of engaging or attempt to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse, or;) has been civilly or administratively, adjudicated to have engaged in activity described in (b) above. d) The department shall consider any incident of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. A review of the policy confirms it meets the provision of the standard. The Department shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.</p> <p>Per the Human Resource Administrator, applicants are required to complete the PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 with their application which is required before the submission for a background check. all current staff are required to complete the PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 annually during their birth month. Contract staff are required to submit a new form in July during their scheduled annual background check. Additionally, prior staff's consideration for a promotion, prior to allowed entry for the interview, they are</p>

required to complete an updated PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819. Additionally, all staff are required to submit an updated form annually. TDOC staff are required to submit during their birthday month in conjunction with their annual background Contractors are required to submit an updated form in July in conjunction with their annual background check. Volunteers are also required to submit PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819. The submission of false information will result in disqualification and/or termination for all staff.

115.17 (c) (d) TDOC Index 301.04 identifies procedures and measures to be completed by the human resource staff when conducting background checks. A National Crime Information Center (NCIC) criminal history record checks shall be conducted on all prospective department, contract, and TRICOR employees and fingerprints shall be taken and processed on all new and/or prospective staff assigned to a safety sensitive position. The NCIC criminal history record check shall be conducted prior to employment. Such inquiries will be made to determine whether there are any pending criminal matters that would adversely impact the TDOC's mission. Consistent with Federal, State, and local law, the TDOC will make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. This information shall be documented on PREA Questionnaire for Prior Institution Employers, CR-3962. Additionally, unless prohibited by law, the TDOC shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

Per Human Resource Administrator staff utilizes the NCIC program to for all background investigations for all TDOC new hires and annually during each staff member birthday month. Per the PAQ, the facility identified the number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates as two Centurion (medical and mental health and Aramark (food service). The Human Resource Administrator indicated contract workers' background investigations are initiated by their employment agency and conducted through the Tennessee Bureau of Investigation. Upon of the completion of the background checks, the investigative findings to include the summary page is forward to the facility's Human Resource Department. Contract staff also are required to complete a PREA Self-Declaration form. This information is forwarded to the Human Resource department by the contracting agency prior to approval for employment at the facility. Annual background checks are completed on all contract staff in July.

Per an interview with the facility's Chaplain, the Director of Religious Services conducts all volunteers background checks prior to their approval to serve as such. All volunteer background checks are required to be conducted annually. Per the Chaplain, although 96 volunteers were previously approved but only 60 are active. An interview with one religious services volunteer confirmed he was required to submit to a background check prior to entering the facility and the completion of the TDOC PREA Self Declaration for Sexual Abuse/Sexual Harassment was included in the

packet. TDOC utilized the NCIC to conduct all background investigations for new hires and annual background checks.

The PAQ identified 125 staff who were hired during the review period. The auditor randomly selected the following for confirmation of completed background checks: 15 -TDOC staff, 5- medical; 5 mental health; 5 -Aramark; and 12 - Volunteers. There were no discrepancies noted in the review.

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

115.17(f) TDOC Index 301.04 indicates all applicants for employment or promotions, all contract employees, and all volunteers who may have any contact with offenders shall sign PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 to ensure compliance with PREA Standard 115.17. Assigned employees who have substantiated PREA complaints against them for sexual harassment or abuse must acknowledge such each year on their CR-3819 and whenever they apply for advancement. The PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 requires staff to respond to the following questions: a) Has engage in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution? b) has been convicted of engaging or attempt to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? c) Have you ever been civilly or administratively adjudicated to have engaged in sexual activity, sexual abuse, or sexual harassment? Per the Human Resource Manager, if an individual provides incorrect information in response to the PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819, they would automatically be disqualified for consideration of employment. The PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819, is a section of the application process for new hires and an annual requirement of all TDOC staff, contact and volunteers in addition to a current employee request for promotion. Per the policy and an interview with the Human Resource Administrator, the agency imposes upon employees a continuing affirmative duty to disclose any such misconduct as staff are required to immediately report any

arrest to their supervisor.

The PAQ identified 125 staff were hired during the 12-month review period. The auditing team randomly selected 42 new hires to include DOC employees, contractors and volunteers in addition to five (5) promoted staff for confirmation of submitted PREA Self Declaration for Sexual Abuse /Sexual Harassment, CR-3819. The review confirmed the agency policy requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates. Each of the reviewed files contained the submission of the completed PREA Self Declaration for Sexual Abuse /Sexual Harassment, CR-3819.

115.17 (g)TDOC Index 301.04 indicates Material omissions regarding misconduct described in subject (a) above or the provision of materially false information is grounds for termination. The Human Resource Administrator did not identify any staff as being terminated for material omissions in relationship to PREA.

115.17 (h) TDOC Index 301.04 states Consistent with Federal, State, and local law, the TDOC will make it that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute. An interview with Human Resource Manager confirmed the agency does provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from a potential employee. The questionnaire is forwarded to the facility's OIC Investigator for completion. Upon completion, the form is returned to the inquiring facility by the HRM. A staff member seeking employment must give prior approval via signature for the release of information to include prior discipline. The request for information is always documented. Employees identified in a substantiated sexual harassment and/or abuse investigation would be placed on a "no rehire" list. Human Resource staff forwards a referral to all applicants' previous employers requesting a work history while documenting the date forward.

Based on the review various departmental staff background checks to include TDOC staff, contract staff and volunteers to include annual background investigations, submission of completed PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819, that is a section of the application process and required to be submitted annually by staff and when applying for promotions, review of agency policies, RMSI does meet all provisions of the standard.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 108.01 Facility Construction, Renovation, and Physical Plant Maintenance 3. Observation 4. Interviews with: <ol style="list-style-type: none"> a. Warden b. Agency Head Designee <p>115.18(a) (b) TDOC Index 108.01 states, “When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the Department shall consider the effect of the design, acquisition, expansion, or modification upon the Department’s ability to protect inmates from sexual abuse.</p> <p>An interview with the Agency Head Designee indicated when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, all modification requires request and approval. Any request submitted must also account for any addition to cameras or mirrors that will be necessary to added to an area to ensure sexual safety. Additionally, the agency utilizes video recording systems to monitor and record activities within the facilities. This tool is utilized to cover blind spots, to verify allegations, and to hold individuals accountable for their actions.</p> <p>Per an interview with the RMSI Warden, there has not been any substantial expansion, and/or modifications to the facility since the last PREA audit other than the addition of a new sally port which was certified in March 2020. The facility installed a sally port in housing unit #2 c- pod that allows inmates of various custody levels to participate in programs such as educations, religious services, etc. Additionally, an additional 107 cameras have been installed since the last PREA audit to enhance security and the prevention of sexual abuse.</p> <p>Based on the review of policies, observation during site, auditor’s analysis, and interviews with the Agency Head Designee, and RMSI Warden, RMSI meets all provisions of the standard.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Office of Investigation and Compliance Evidence Protocol #008 3. Warden’s Memorandum Identifying Facility’s Victim Advocates 4. TDOC Index 502.06.2 PREA Allegations, Investigation and Sexual Abuse Response Team (SART) 5. TDOC #502.06.3 Medical, Behavior Health, Victim Advocacy, and Community Support Services for PREA Victims 6. RMSI Index 502.06.2-1 PREA (SART) 7. MOU with The Sexual Assault Center 8. Investigation Files 9. Interviews with: <ol style="list-style-type: none"> a. The Sexual Assault PREA Coordinator b. Random Staff c. Hospital Public Information Officer/SANE <p>115.21(a) TDOC Index 502.06.2 state it is the policy of the TDOC to investigate all PREA sexual abuse and sexual harassment allegations in a timely, efficient, and confidential manner in accordance with federal guidelines (Title 28 CFR Part 115). The Agency employs investigators who have received special training in conducting sexual abuse investigations in confinement settings. The Office of Investigations and Conduct Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence. An OIC Institution Investigator is assigned to conduct administrative investigation within each TDOC facility. The OIC Special Agent is authorized to conduct administrative and criminal investigations. Interviews with the Warden, OIC Special Agent and OIC Institution Investigator identified both administrative and criminal investigations are conducted by TDOC OIC Investigators.</p> <p>Operational Protocol #008 dated July 27, 2019, identifies the Notification and Response Procedure stating “It shall be the protocol of the Investigations Unit to appropriately respond to incidents and/or allegations of sexual abuse which occur on TDOC institutional property. When notification is made in a timely manner, Agents will respond as the situation mandates to the site of examination for the purpose of</p>

evidence collection and preservation. The Department's response to sexual assault follows the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," dated April 2013, or the most current version. (1) Upon notification of alleged sexual abuse within any TDOC institution, the institution shall immediately have the alleged victim examined by qualified medical personnel. After the initial examination and collection of clothing for potential evidence, the alleged victim will be transported to the nearest Emergency Room. The ER physician or SANE will perform an examination utilizing a sexual assault evidence kit provided by TBI. This kit will be retained by the ER staff until received by an IU Agent. (2) The responding Agent shall process the alleged crime scene if feasible, receive the evidence from the attending medical staff, conduct an interview with the alleged victim and suspect at the earliest convenience, and determine the appropriate action to best facilitate the investigation. (3) Upon evaluation of all information and evidence obtained, IU staff shall deliver evidence obtained from the investigation to the TBI Crime Laboratory for evaluation as possible evidence. Interview with random and targeted group staff indicated their understanding of agency's' protocol upon being the first person in receipt of an inmate report of sexual abuse and their first responder duties.

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

115.21 (c) Pursuant to RMSI Index 502.06.2-1 and TDOC 502.06.3 upon receiving a report of an alleged sexual abuse within the 72-hour time frame, SART members that includes medical staff and the OIC institution Investigator shall determine if SAFE/SANE response is applicable at an outside medical facility. If the services of an outside medical facility are determined to be warranted, the victim shall be transported by security staff to an outside medical facility with SAFE/SANE personnel for a forensic examination at no cost to the victim. Upon receiving a report to an alleged sexual abuse outside of the 72-hour time frame, SART members shall determine if SAFE/SANE response is indicated at an outside medical facility with SAFE/SANE personnel. The alleged victim shall be transported only to medical facilities trained and equipped with SANE personnel. If SAFE/SANE personnel cannot be made available, the forensic examination can be performed by other qualified medical practitioners. The medical member of the SART shall document the efforts to provide SANE/SAFE services. Per interviews with the Medical Services Supervisor, inmates would be transported to Nashville General Hospital - MeHarry for all forensic examinations. Per an interview with the Public Information Officer at the Nashville General Hospital - MeHarry, these services would be made available by a SANE. The hospital does not have a SANE on duty during all shifts, but one would be called to report to the facility as needed. Per the PAQ the facility reported two inmates received a forensic examination, however the information was identified as incorrect. One inmate received a forensic examination.

115.21(d) (e) (h) TDOC has a Memorandum of Understanding with The Sexual Abuse Center to provide victim advocacy services. The Sexual Abuse Center provide advocacy services and serves as an agency for the inmate population to report PREA allegations of sexual abuse and sexual harassment. The RMSI uses the local hospital (Nashville General Hospital - MeHarry) for forensic examinations who also offers a victim advocate. An interview with the Public Information Officer at the outside hospital explained SANE/SAFE Nurses are not regularly on duty but the Sexual Assault Team is on call 24/7 to provide the services and report to the hospital normally within one hour of notification.

The RMSI Chief Counselor serves as the primary Victim Advocate for the inmate population and has completed training through the Sexual Assault Center to fulfill his obligations as the victim advocate. The RMSI Victim Advocate name and contact information is posted on all bulletin boards accessible to staff and the inmate population.

One inmate received a forensic examination at the Nashville General Hospital - MeHarry during the review period. The medical staff documented the victim's refusal to accept victim advocate services offered via Tel-e-health. However, the RMSI designated victim advocate (Chief Counselor) traveled to the hospital with the victim and remained with him throughout the forensic examination and his return to the facility. These services were documented in the investigation summary and confirmed during interviews with both the victim and the facility's victim advocate.

TDOC Index 502.06.3 indicates a PREA victim advocate shall be made available to the alleged victim, when requested, to accompany and support the victim through the

forensic medical examination and the investigation process. Per the RMSI PCM, the facility has a MOU with the Sexual Assault Center and a designated facility victim advocate who provides services to the inmate population. Specifically, the TDOC has a Memorandum with the Sexual Assault Center in Nashville to provide certified rape counselors who would serve as a victim advocate for the inmate population. Per an interview with the Sexual Assault Center PREA Coordinator, she explained upon an inmate reporting to the hospital she would be contacted and either herself or another qualified staff member will provide victim advocate services via Tel-e-health as these procedures have been put in place since the outbreak of COVID. She added, a victim advocate from the center is available on call 24/7 to provide emotional support, crisis intervention, information on available resources, investigative procedures, assistance during legal issues regarding the sexual abuse, and referrals as needed for victims. She added on numerous occasions, she and/or other counselors from the center have provided services to inmates at the facility to include via phone and in person visiting at the facility. These services continue to be available to the inmate population within the prison via phone and in person upon the request of the inmate.

115. (f) (g) TDOC employs its own investigators within the Office and Conduct and Investigations for both administrative and criminal investigations. Therefore provision (f) and (g) are not applicable.

115. 21 (h) In addition to the review of the MOU between The Sexual Assault Center, the RMSI Warden has assigned a staff member to serve the Chief Counselor as the facility's victim advocate. An interview with the RMSI Victim Advocate confirmed his completion of victim advocate training through the Sexual Assault Center. A review of a PREA Information Packet states if requested by the victim and the services are reasonably available, have one of the following accompany, for the purpose of support, the victim through the forensic examination and investigation interviews with a qualified victim advocate, a department employee who is otherwise not involved in the incident and has received education and training concerning sexual assault and forensic examination issues and has been appropriately screened and determined to be competent to serve in this role. The RMSI victim advocate has served in this role for an excess of 10 years. He identified his responsibilities include providing support for the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information, and referrals. He further indicated upon an inmate reporting an allegation of sexual abuse involving sexual penetration and meeting the criteria for a forensic examination, he would begin the advocacy service in the RMSI medical department, travel via ambulance to the hospital with the victim and provide services throughout the examination. He added, he continues with victim advocacy services when the inmate returns to the facility by initiating contact. He normally contacts the victim the day after the examination and continues to conduct follow-up services with the victims for several weeks and/or longer if the inmate would like to continue. He further stated often, the victim will shut down after returning to the facility. However, he has referred victims to mental health for individual counseling sessions.

Based on the review of policies, confirmation of available SANE and victim advocate services available through both The Sexual Assault Center and RMSI staff who have

	<p>received the appropriate victim advocate training to serve as such, and analysis, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigation and SART 3. RMSI Index 502.06.2-1 PREA Allegations, Investigation and SART 4. PREA PAS Tracking log (PREA Allegation System) 5. TDOC agency's website 6. Investigation Files 7. Interviews with: <ol style="list-style-type: none"> a. OIC Special Agent and OIC Institution Investigator b. Warden <p>115.22(a)(b) TDOC Index 502.06.2 states, "It is the policy of the TDOC to investigate all PREA sexual abuse and sexual harassment allegations in a timely, efficient, and confidential manner. The facility shall coordinate actions taken in response to an incident of alleged sexual abuse or harassment among staff first responders and Sexual Assault Response Team (SART), which includes medical and behavioral health practitioners, institutional investigator, and facility leadership. TDOC conducts both administrative and criminal investigations. Interviews with the OIC Special Agent and the OIC Institution Investigator indicated the investigation began upon the notification of the reported allegation. An OIC Institution Investigator is assigned at each TDOC correctional institution to conduct administrative investigations and the Regional assigned OIC Special Agent conducts all criminal investigations. All PREA allegations are required to be documented and uploaded in the PREA Allegation System (PAS) within 24 hours of being reported. These investigations shall be conducted within 72 hours of receiving the allegation, however depending on the circumstances of the reported allegations, the investigation may exceed 72 hours.</p> <p>Per an interview with the Agency Head Designee, TDOC ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse or sexual harassment. The TDOC policy mandates that an entry be made in the PREA Allegation system (PAS). The PAS is used to track the steps in the investigation and the results. Policy also mandates all investigations are completed even if the offender transfers facilities or the staff member abruptly quits. If a PREA allegation is made, an investigation is completed and documented in the PAS. Both types of investigations are completed in the same manner initiated by the OIC Institution Investigator. After the initial response of separating and securing the victims, securing</p>

the scene, and collecting evidence, both the victim and aggressor are interviewed. Corroborating evidence is sought, and a determination is made regarding the level of allegation. If the allegation could possibly include criminal activity, the case is referred to the OIC Special Agent for additional review, investigation and prosecution as applicable.

TDOC Index #502.06.2 identifies the PREA Allegation System (PAS) as a computer application located the TDOC intranet that is used to enter all inmate-on-inmate and staff-on-inmate allegations of sexual abuse and sexual harassment.

The audit review period was scheduled for January 1, 2022 - December 30, 2022. There were 43 reported PREA allegations to include sexual harassment and sexual abuse during this period. A review of the PREA Allegation Report identifies 41 were completed as an administrative investigation by the OIC Institution Investigator and/or OIC Special Agent. Two substantiated sexual abuse investigations were completed as criminal investigations by the OIC Special Agent. One was accepted for prosecution by the Assistant District Attorney as this case also included murder of the cellmate. One criminal investigation was declined due to insufficient evidence to support prosecution. The audit team selected 25 investigations for review. The review included substantiated, unsubstantiated, and unfounded sexual harassment and sexual abuse investigative findings and included both criminal investigations.

4 inmate-on-inmate sexual abuse case = 2 - substantiated; 1 - unsubstantiated; 1 - unfounded

9 inmate-on-inmate sexual harassment case = 0 - substantiated; 2 - unsubstantiated; 7 - unfounded.

5 staff-on-inmate sexual abuse = 1 - substantiated; 0 - unsubstantiated; 4 - unfounded.

25 staff-on-inmate sexual harassment = 20 substantiated; 2 - unsubstantial; 23 - unfounded

The auditor reviewed the TDOC website at www.TennesseeDepartmentofCorrections. TDOC has included a section regarding the investigation of sexual assault and sexual misconducts. The department is dedicated to producing quality investigations of alleged sexual abuse incidents. All investigators receive specialized training specific to sexual assault in correctional institutions. The TDOC Law Enforcement Unit, in consultant with the department legal office, aggressively refer substantiated cases of sexual assault by offenders or employees to the local district attorney's office for criminal prosecution.

115.22 (c) TDOC is responsible for conducting all sexual abuse and sexual harassment investigations. Therefore, this provision is not applicable.

Based on the auditor's analysis of the information collected through review of policies, investigative case files, agency's website, interviews with TDOC Agency Head Designee, Warden, OIC Investigators, it is concluded that RMSI meets the mandate of all standard provisions.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06 PREA Implementation, Education, and Compliance 3. TCA PREA Training Lesson Plans For Pre-Service and In-Service 4. PREA Training records and Rosters 5. Interviews with: <ol style="list-style-type: none"> a. RMSI Training Specialist b. Random staff <p>115.31(a) TDOC Index 502.06 states, “The Tennessee Correction Academy (TCA) will be responsible for the development and distribution of the course lesson plans annually. All lesson plans or materials utilized for pre-service and in-service training on inmate sexual abuse and sexual harassment shall be approved by PREA Correctional Program Director II and TDOC General Counsel. The TDOC Correction Academy Program Curriculum Lesson Title PREA Inmate Sexual Abuse/ Assault a 2-hour Pre-Service and/ In-Service annual training course is used for training and covers 10 topics specified in this provision. Two hundred forty -one TDOC staff were employed at RMSI during the review period. Each of those employees was required and received PREA training as noted in standard 115.31 (a). An interview with the RMSI Training Specialist identified new hires to include agency staff, and contractors receive PREA training during the first week of New Hire Orientation held at the facility. Annual PREA training is conducted on-line by all staff to include agency staff, contract staff and volunteers. These individuals can access the PREA training at the facility, while at home or any available computer and the completion of a passing test score is required at the end of the course. The completion of the PREA training is monitored by the Training Specialist. Anyone who have not completed training or may have been unable to attend for various reasons (i.e. injury, illness, schedule conflict) and would be required to make up any missed training by the required deadline. A random selection of 54 staff training records confirmed staff completed the required PREA training in accordance with the agency's policy and an excess of the PREA standard. Random staff interviews indicated in-service training is provided annually and PREA training is completed on-line. The auditor presented staff with a variety of scenarios during the interview process. 100% of the 23 random staff and all specialized staff spoke with confidence and was competent in their responses during interviews regarding their knowledge of PREA education and in response to a reported allegation of sexual abuse and sexual harassment. Several interviews were conducted for new hires with less than six months employment. These new employees were</p>

also very knowledgeable about PREA education and quickly referred to their PREA Refresher Cards as a reference, which is the purpose of the issued cards.

115.31(b) TDOC Index 502.06 states, "Such training shall be tailored to the gender of the inmates at the employee's facility. The employee shall receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa." Training is designed for officers to be able to function in both female and male facilities. RMSI does not houses female inmates; however, staff may transfer to any facility in the system.

115.31(c) The Department shall provide each employee with refresher training annually to ensure that all employees know the Department's current sexual abuse and sexual harassment policies and procedures. The auditor observed continuous PREA education posted throughout the facility. Security supervisors also conducted PREA refresher training during shift briefings. Interviews with the staff confirmed they were well informed about their understanding of PREA. Additionally, PREA education is required to be completed annually by all staff and documented by their signature. Interviews with random 23 random staff and specialized staff indicated they receive PREA training annually in addition during orientation upon hiring .

115.31(d) TDOC Index 502.06 states, "The TCA Department and facilities shall document, through employee signature or electronic verification, that employees understand the training they have received using Employee PREA Training Acknowledgement, CR-3965. Confirmation of staff's signatures noting "I acknowledge that I have received training on the PREA and understand the training" on the TDOC Employee PREA Training Acknowledgement Form. The auditing team randomly selected 54 staff for confirmation of documented PREA training during the review period of fiscal years 2022 and 2023. Confirmation of completed PREA training was submitted with no discrepancies noted in the selection.

Based on the review of policies, training lesson plans, training records, interviews and analysis, the facility has demonstrated compliance with all provisions of the standard. The facility provides refresher PREA training for employees annually rather than the standard provision requirement of every two-years. Additionally, PREA education is located on bulletin boards and throughout the institution, and all staff are issued PREA Refresher Card for reference as needed. Staff responses during the interview process and presentation of various scenarios confirmed the commitment of RMSI to TDOC policies and the Department of Justice PREA standards with continuous PREA education.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 110.01 Pre-Service (Basic) Training and Employee Orientation 3. TDOC Index 502.06 PREA Implementation, Education, and Compliance 4. TDOC Volunteer Orientation & Training Manual 5. PREA Training records and Rosters 6. Interviews with: <ol style="list-style-type: none"> a. RMSI Training Specialist b. Religious Services Chaplain c. Volunteer d. Contractors <p>115.32 (a), (b) (c) TDOC Index 110.01 states that part-time employees, volunteers, contract staff and other transferring employees NEO; part-time employee, volunteer, contract staff and employee who are permanent transferring from one location to another shall receive a minimum of 20 hours of work site orientation appropriate to their assignment. The TCA Curriculum for PREA will be used. TDOC Index 502.06 states that employees of privately managed facilities shall receive PREA training as part of the pre-service and in-service training requirements established by the contractor and approved by TDOC. The Director of Contracts Administration shall ensure that all new TDOC contracts or contract renewals include language requiring compliance with the PREA standards. An interview with the RMSI Training Specialist identified new hires to include agency staff, and contractors receive PREA training during New Hire Orientation during the first week of employment. This training is held at the facility. In-service annual PREA training is conducted on-line by all staff to include agency staff, contract staff and volunteers. These individuals can access the PREA training at the facility, while at home or any available computer and the completion of a passing test score is required at the end of the course. The completion of the PREA training for contractors is monitored by the Training Specialist. Anyone who did not complete training or may have been unable to attend for various reasons (i.e. injury, illness, schedule conflict) and would be required to make up any missed training by the required deadline.</p> <p>115.32(c) All volunteers and contractors are required to complete PREA training. Training acknowledgement for volunteers and contractors is documented through</p>

signature on CR-3965 notating that they understand the training received. Contract staff attend the Non-Academy Pre-service Orientation training for new employees and attend annual in-service training with TDOC staff during CORE Training. Although PREA training is completed on-line, it is monitored by the facility's Training Specialist and entered into the training program as all TDOC staff.

Contract medical staff, mental health and food service staff confirmed they also receive PREA training during their initial hiring and annually on-line from any computer. Each of the contract staff was very knowledgeable of TDOC policy against sexual abuse and/or sexual harassment and how to report it.

An interview with the Chaplain indicated he is responsible for ensuring the volunteers complete the PREA training. He stated all volunteers are required to complete PREA training on-line (one and two) prior to approval for enter in addition to other mandatory courses. Upon approval and authorization to enter the facility, additional comprehensive PREA training is held during orientation. An interview with a religious services volunteer confirmed his completion of PREA training and his understanding of his responsibility to notify the first available staff member to include the RMSI Chaplain or security staff upon his awareness of a PREA allegation.

Per the PAQ, RMSI has 228 contractors and volunteers who have contact with the inmate population. However, this number was later identified correctly as 167. Although the facility identified 96 volunteers, the Chaplain identified 60 volunteers as active. The auditor reviewed a sample of training documentation for 5- medical; 5- mental health; 5 -Aramark; and 12 - Volunteers which indicated contractors and volunteers acknowledged received training based on the services they provide and level of contact they have with inmates.

Based on the review of policies, training lesson plans, documentation of contracts and volunteers PREA training records, interviews with the RMSI Training Specialist, contractors, volunteer and Religious Services Chaplain, the facility has demonstrated compliance with all the provisions of this standard.

115.33	Inmate education
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 558 300">Auditor Discussion</p> <hr/> <p data-bbox="256 340 1062 376">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1289 1160" style="list-style-type: none"> <li data-bbox="256 412 959 448">1. RMSI Completed Pre-Audit Questionnaire (PAQ) <li data-bbox="256 483 1289 519">2. TDOC Index 502.06 PREA Implementation, Education, and Compliance <li data-bbox="256 555 1023 591">3. PREA Hotline Reporting Signs (English and Spanish) <li data-bbox="256 627 624 663">5. RMSI Inmate handbook <li data-bbox="256 698 1193 734">6. PREA Sexual Assault Awareness Brochure (English and Spanish) <li data-bbox="256 770 906 806">7. TDOC Orientation Acknowledgement Forms <li data-bbox="256 842 571 878">8. Observation on site <li data-bbox="256 913 517 949">9. Interviews with: <ol data-bbox="256 985 820 1160" style="list-style-type: none"> <li data-bbox="256 985 459 1021">a. Intake Staff <li data-bbox="256 1057 632 1093">b. Classification Counselor <li data-bbox="256 1128 820 1164">c. Random and Targeted Group Inmates <p data-bbox="256 1200 1477 2024">115.33(a)(b) (c) TDOC Index 502.06 states that all inmates entering the TDOC system shall receive verbal and written information concerning sexual abuse within 24 hours of intake at the diagnostic centers. Each facility shall take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the facility’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The facility identified 487 inmates who received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake. This includes those inmates on hold status from county correctional and detention facilities in addition to RMSI assigned inmates returning from court appearances and extended outside the facility medical treatment. Per interviews with the RMSI Intake Staff and RMSI Classification Counselor upon an inmate’s arrival at RMSI, the PREA video “PREA: What You Need to Know” is continuously playing throughout the inmate intake process. The Classification Officer provides comprehensive PREA education to each inmate and issues all a PREA pamphlet and facility inmate handbook that contains PREA education. The inmates then sign the TDOC Orientation Acknowledgement form acknowledging they have received the PREA pamphlet, observing the PREA educational video, and receiving the facility’s inmate handbook that includes PREA education.</p>

The auditing team randomly selected six inmates from each of the 12-month review period for confirmation of receiving PREA education. Documentation supported the inmates acknowledged receiving the PREA education on the day of their arrival at RMSI. The 42 inmates interviewed indicated they received the handbook, pamphlet upon their arrival and/or observed the PREA video during orientation. The inmates also mentioned the PREA information is posted on the bulletin boards and PREA posters on walls and inmate telephones providing them with the internal and external PREA Hotline numbers to report PREA allegations. There were zero inmates who indicated they had not received PREA education upon arrival at RMSI.

115.33(d) (e) TDOC Index 502.06 states, "The Department shall provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. An Interagency agreement between the State of Tennessee Department of Corrections and Tennessee Foreign Language Institute has been established for the contractor to provide qualified language interpreter services for non-English speaking inmates. The most recent Interagency Agreement between the State of Tennessee Department of Corrections and the University of Tennessee was dated with an effective date of July 1, 2021, through June 30, 2023, to provide interpretation and translation services. These services are available as needed for the inmate population. The Tennessee Language center is a telephonic interpreter that can be accessed by dialing 877-346-1674 from an institution phone upon providing the required authorized information that incurs a minimum cost for usage. Over 200 languages are available to facilitate most every communication that could be encountered by staff. The most frequent translation services are used for the Spanish language and not by the Tennessee Language Center.

Random file reviews for 72 inmates indicated inmates signed the orientation acknowledgement forms for receipt of PREA education during the comprehensive orientation. The auditor selected a random selection of six inmates for each of the 12-months for confirmation of 72 inmates who receipt of PREA training and identified no discrepancies. Interviews were conducted with 42 random and targeted groups inmates to include those with the following disabilities: physically disabled, hard of hearing, low vision; and cognitive disability. All inmates acknowledged receiving PREA education to include those who arrived during the review period and those who have been designated at the facility in excess.

115.33(f) PREA information was observed to be continuously and readily available to the inmate population throughout the facility. PREA signage containing hotline contact information and sexual abuse information was noted as being posted throughout the institution. Signage was observed to be available in English and Spanish an in large font. Inmates are provided with personal copies of the inmate handbook that provides an extended section of PREA education.

Based on the review of policies, inmates' signature acknowledgement of receiving PREA education, inmates' extensive knowledge of PREA education during the interview process, continuous PREA education posted throughout the facility in all housing units, program areas, etc., and analysis, the facility has demonstrated compliance with all the provisions of this standard.

115.34	Specialized training: Investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigation, and SART 3. TDOC Index 107.01 Office of Investigation and Compliance Unit Authority, Responsibility, Personnel Selection and Training 4. Documentation of Specialized Training for Agency Investigators 5. Interviews with: <ol style="list-style-type: none"> a. OIC Institution Investigator b. OIC Special Agent <p>115.34(a) TDOC 107.01 states: All newly selected OIC Special Agents will attend and successfully complete, at a minimum, an accredited law enforcement academy (e.g., Tennessee Correction Academy, Tennessee Bureau of Investigation, Memphis Police Academy, Walter State Community College, etc.) In accordance with TCA 4-3-609, the Commissioner shall select and commission each OIC Special Agent as a full time Law Enforcement Officer. TDOC Index 502.06.2 states that where the allegation of alleged sexual misconduct involves sexual abuse, the investigation shall be conducted within 72 hours of receiving the allegation. An interview was conducted with the OIC Special Agent assigned to the facility. Prior to his position as an OIC Special Agent, he served as an OIC Institution Investigator for numerous years within the TDOC. He confirmed his completion of the required law enforcement training in addition to additional agency training in order to serve in the position of a sworn law enforcement officer for TDOC. As a sworn law enforcement officer with the TDOC Office of Investigations and Conduct, he is authorized to conduct all TDOC investigations to include both administrative and criminal cases for prosecution. He has also completed the following online courses through the National Institute of Corrections, "PREA: Investigating Sexual Abuse in a Confinement Setting" and "PREA: Investigating Sexual Abuse in a Confinement Setting: Advance Investigations."</p> <p>115.34(b) An interview with the OIC Special Agent indicated the specialized training for the OIC Special Agents is through the Tennessee Police Training Academy, Tennessee Bureau of Investigations, and the Tennessee Law Enforcement Academy. The lesson plan is intended for use with Department personnel assigned to investigate an allegation of misconduct that involves a sex related offense. This</p>

training gives participants the information appropriate training in an excess of the PREA standard provision to conduct criminal and administrative investigations. This includes the definition, purpose, and history of PREA, definitions, first responder duties, medical examinations, comprehensive investigations, evidence collection, interviewing the victim, suspect and witnesses, Miranda rights, Garrity rights, and handling false accusations. An OIC Institution Investigator who conducts administrative investigations is assigned to the facility. An OIC Special Agent is assigned to conduct criminal investigations. The OIC Institution Investigator has completed the NIC course "PREA: Conducting Sexual abuse Investigation in a Confined Setting" that provides appropriate training to completed administrative investigations for the TDOC.

115.34(c) The Department shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations." Upon completion of training, OIC Institution Investigator and OIC Special Agents are issued a certificate of completion indicating they have successfully completed training in conducting PREA investigations. The auditor reviewed training records and certification of the OIC Special Agent and OIC Institution Investigator completed specialized training for conducting sexual abuse investigations in a confined setting. A review of the 25 PREA investigation casefiles confirmed the investigations were completed by the OIC Institution Investigator and/or OIC Special Agent who completed the required training per the standard.

Based on the review of training lesson plans, training documentation, interviews and analysis, the facility has demonstrated it meets the mandate of all standard provisions.

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.3 Medical, Mental Health, Victim Advocacy, and Community Support Services for PREA Victims 3. TDOC PREA Specialized Training for Medical/Mental Health Lesson Plan 4. Training records 6. Interviews with: <ol style="list-style-type: none"> a. Medical and Mental Health Staff <p>115.35(a) TDOC Index 502.06.3 states all full and part-time medical and mental health care practitioners who work regularly in the facility shall be trained in: how to prevent, detect, and respond to acts of sexual abuse or sexual harassment. The PAQ identified 87 medical and mental health, however this number was later identified as incorrect. Medical and mental health staff consist of TDOC and contract employees with the contracting agency Centurion with a total of 66 mental health and medical staff. All staff must complete the Department's PREA training and specialized training in medical and mental health. The training curriculum Medical and Mental Health Care Standards Presentation was reviewed. This information covers the agency's zero tolerance policy, methods of reporting, consequences for participating in prohibited activities, and basic actions to take (i.e., separate victim and aggressor) during an incident. This includes a duty to report and how to report allegations of sexual abuse and sexual harassment. The information also covers characteristics of at-risk populations, predatory inmates, and the warning signs associated with victimization. Interviews with both medical and mental health staff the Health Service Administrative Assistant conducts specialized PREA training to all medical and mental health staff upon hiring and annually through classroom presentations. The lesson plan confirmed the training covered the topics required by this provision. Documentation completed specialized PREA trained was reviewed for mental and mental health staff.</p> <p>115.35(b) RMSI does not conduct forensic medical exams at the facility. All forensic examinations are performed off-site at a local medical facility, Nashville General Hospital MeHarry in Nashville, TN.</p> <p>115.35(c) (d) Confirmation of the 34 randomly selected mental health and medical staff completed specialized PREA training in compliance with the standard was provided for review.</p>

	<p>Based on the review of policies, training lesson plans, training records, interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.1 PREA Screening, Classification, and Monitoring 3. PREA Screening System Application 4. Completed Risk Screenings 5. Interviews with: <ol style="list-style-type: none"> a. Staff who conduct PREA Risk Screening b. Intake Staff c. Random and Targeted Inmates d. PREA Correctional Program Director II <p>115.41(a) TDOC Index 502.06.1 establishes policy and assigns responsibilities for screening individuals housed in a correctional facility under the authority of the TDOC to assess the risk of the individual being sexually abused or being sexually abusive towards other inmates. The agency uses the PREA Screening System Application (PAS) located on the TDOC intranet to assess an inmate’s risk of sexual victimization and risk of sexually abusing other inmates. A random sample of 72 inmate PREA Screening System forms was selected for review. 100% of the sample was screened using the PREA Screening form. The initial 72-hour risk screening assessment is completed upon arrival at RMSI by the Intake Classification Officer i on the day of the inmate’s arrival. The 30-reassessmet is conducted by the inmate’s assigned Counselor on the 15 days and again at 30 days. The Chief Counselor (staff who conducts risk screening to include during intake) explained in detail the intake process of all inmates for risk screening for victimization of sexual abuse and prior aggressiveness on the day of their arrival during the intake process. The screening is conducted in a private setting and the PREA Screening System is utilized to conduct screening for the risk of sexual victimization and abusiveness. RMSI goes beyond the requirement of this standard in the performance of risk screening for victimization and abusiveness of the inmate population. Every inmate who departs the facility for an outside medical trip and/or court appearance who returns after a 24-hour period receives a new screening for risk of victimization and abusiveness. The RMSI Correctional Counselor III and PREA Correctional Program Director II explained this procedure was put in place to offer an additional safety measure for the inmate population while allowing the inmate to report any concerns or occurrences of sexual abuse and/or sexual harassment while away from the facility.</p>

115.41(b) TDOC Index 502.06.1 directs that classification or unit management teams from diagnostic classification units will interview and evaluate all inmates for sexually aggressive/victim tendencies utilizing the PREA Screening System Application within 72 hours of arrival at a facility. The PAQ indicated that 487 inmates had been admitted with a stay longer than 72 hours. The number was later identified as 366. A random review of 72 risk screening intake forms demonstrated compliance with the 72-hour requirement. Specifically, the PREA Intake Screening forms reviewed were completed on the day of arrival.

115.41(c) TDOC Index 502.06.1 requires authorized users to utilize the PREA Screening System Application located on the TDOC intranet. User security access to this system is authorized by the Associate Warden of Treatment. The PREA Screening System Application form is the agency-approved standardized screening instrument. Copies of the Tennessee Inmate Management Information System (E-TOMIS system) PREA Screening form were provided within the PAQ in addition to those of randomly selected inmates completed forms. The PREA Screening form assigns a numerical point value to questions regarding risk of victimization and risk of abusiveness categories. The form considers 12 separate inmate risk of victimization factors and risk of abusiveness factors. Each risk factor is assigned a numerical point value based on the information obtained from an interview with the inmate and information from the inmate record.

115.41(d) (e) The review of the TDOC Risk Screening forms includes all elements of the standard provision to include those factors of a sexual victim and those of a sexual aggressor. The PREA Screening System Application factors considered in the risk of abusiveness category include prior acts of sexual abuse, prior convictions for violent offenses and a history of prior institutional violence or sexual abuse. The instrument also considers a history of violent crimes including pending and current. Per an interview with staff who conducts risk screening, staff conduct face to face private screenings with each inmate in which the inmate responds with a yes or no answer to the questions from the TDOC Risk Screening forms. Staff also conduct a review of previously submitted information regarding the inmates' history documented in the system. Any new and/or additional information is requested and noted as provided. Additionally, staff asks each inmate whether the inmate identify themselves as gay, bisexual, transgender, intersex, or gender nonconforming and whether they have previously experienced sexual victimization and their own perception of vulnerability. During the risk screening an inmate can report any incidents of prior sexual abuse not yet reported.

115.41(f) TDOC Index 502.06.1 requires unit management staff to reassess each inmate within 30 days of the inmate's arrival at the facility using the PREA Screening

Application. A random sample of 72 inmate PREA Screening Application forms was reviewed for compliance with the reassessment being completed within 30 days of arrival. 100% of the PREA Intake Screening forms reviewed were compliant with the 30-day requirement. The PAQ indicated RMSI admitted 487 (later identified as 366) inmates whose stay was longer than 30 days. The auditor observed numerous of these inmates were those who were transferred from the facility and returned after the completion of medical treatment and /or court appearance at other locations. Staff who perform risk screening reassessments indicated that re-assessments are conducted within 30 days of arrival at the facility. The Chief Counselor who conducts the risk screening confirmed 30-day follow-up risk assessment indicated the facility has a 15-day monitoring system for assistance in monitoring the completion of 30-day assessments. The Intake Classification Officer conducts the 72-hour assessments and Counselors assigned to the inmate's housing units conducts the 30-day reassessments. The review of the 72 random inmates risk screening to include the 72-hour and 30-day reassessment confirmed assessments were conducted in accordance with the agency policy and the standard provisions. Specifically, 100% of the 30-day reassessments were noted as completed within 30 days of the inmate's arrival. Inmates Interviews with inmates who arrived at the facility during the 12-month review period, each acknowledged they were asked assessment questions during intake and again by an additional counselor within 30 days of their arrival.

115.41(g) TDOC Index 502.06.1 requires unit management staff to re-assess an inmate's risk level when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or potential for abusiveness. The PREA Screening System Application is utilized to conduct any re-assessment. Staff who perform risk screening indicate that a re-assessment is conducted upon receiving additional information, annually and if the inmate is identified as a victim and/or an aggressor within a substantiated sexual abuse investigation such as any of these circumstances could reflect a change in the inmate risk factor scoring from the initial assessment. This procedure was confirmed by the Chief Counselor, as an additional assessment is completed in accordance with the standard provision. Per an interview with the Chief Counselor, a weekly report "Monitoring Due Report" is automatically forwarded to each TDOC institution via ETOMIS that is automatically generated to the PCM, Associate Warden (T), and Chief Counselor, and himself. The monitoring of victims and aggressors is conducted every 90 days for a minimum of 12 months, and each requires approval by the PREA Correctional Program Director II for removal. The victim may request removal prior to 12 months of completion, however, the option of removal from monitoring is not available to an aggressor. Negative conduct and additional sexual abuse allegations are included in circumstances that may prolong an aggressor's monitoring to extend beyond 12 months. This procedure was also identified by the Chief Counselor. The review of the 25 PREA investigative case files identified the inmate victims of two (2) substantiated sexual abuse investigation were reassessed and identified as victims of sexual abuse and the four (4) inmates identified as aggressors were also reassessed as classified appropriately.

115.41(h) TDOC Index 502.06.1 states that inmates will not be disciplined for refusing to answer or disclosing complete information in response to screening questions. Staff who perform risk screening were interviewed and reported an inmate is not disciplined for refusing to respond or not disclosing complete information and stated most inmates are cooperative and provide responses. During inmate interviews, none reported being disciplined for refusing to answer PREA risk screening questions.

115.41(i) TDOC Index 502.06.1 indicates that screening information is strictly need to-know. Access to the PREA Screening System Application is controlled through authorized user security access. Unit Management staff will ensure screening information is entered in the PREA Screening System Application, E-TOMIS. Per the PREA Correctional Program Director II, Counselors have access to conduct the risk assets but cannot review the responses in E-TOMIS after the input is uploaded. The Counselors can only observe the inmate's score once uploaded. Additionally, per the Chief Counselor, only staff with the need to know such as the PREA Coordinator, the screening staff, the RMSI PREA Compliance Manager and the OIC Investigators have access to all information but only security supervisors have access to the knowledge of how they are identified but the responses to the questions on the risk screening forms in order to ensure appropriate housing assignments. The practice of staff performing an additional screening for risk of victimization and/or abusiveness for all inmates who depart the facility and their return to the facility is the following day as an additional safety measure for the inmate population exceeds the provisions of this standard.

The TDOC and RMSI have implemented various measures to ensure the proper risk assessment screening of all inmates who enter the facility in accordance with the standard provisions. In addition to the completion of 72 -hour and 30-day reassessments being completed timely, the facility conducts reassessments on all inmates who departed the facility for overnight hospital stays upon their return. Staff also conduct monitoring of victims and aggressors is conducted every 90 days for a minimum of 12 months, and each requires approval by the PREA Correctional Program Director II for removal. The victim may request removal prior to 12 months of completion. Based on the extra measures established by the TDCO and RMSI to ensure the PREA risk assessments are conducted in an excess to the standard provisions while ensuring accurate and update information is documented, the review of agency policies and interviews, RMSI has demonstrated the level of exceeds standard.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.1 PREA Screening, Classification, and Monitoring 3. TDOC Index 113.37 Gender Dysphoria 4. TDOC 112.08 Personal Hygiene Resources for Inmate 5. Interviews with: <ol style="list-style-type: none"> a. RMSI PREA Compliance Manager b. Chief Counselor c. PREA Correctional Program Director II <p>115.42(a) TDOC Index 502.06.1 states, “Decisions concerning individual housing assignments and group activities for inmates who enter TDOC and identifies as a sexual aggressor or prior sexual victims are under the supervision the unit management/Associate Warden/Deputy Superintendent/Designee. Housing, cell assignments, work, education, and program assignments shall be made with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually aggressive. The PREA Screening System Application factors considered in the risk of abusiveness category include prior acts of sexual abuse, prior convictions for violent offenses and a history of prior institutional violence or sexual abuse. The instrument also considers a history of violent crimes including pending and current charges and a history of domestic violence including pending and current charges. A review of the PREA Screening System Application revealed it does consider all the criteria required by this provision. Specifically, the screening application considers factors that identify an inmate as being aggressor, victim, both, and/or neither. Questions includes: Whether the inmate is a former victim of institutional (prison or jail) sexual abuse; Whether the inmate has mental, physical, or development disability; The age of the inmate (24 or younger or elderly, 60 or older); The physical build of the inmate (5’5” and/or less than 150 pounds); Whether the inmate has previously been incarcerated; Whether the inmate criminal history is exclusively non-violent; Whether the inmate has prior convictions for sex offenses against an adult or child; Whether the inmate is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming; Whether the inmate has previously experienced sexual victimization; Whether the inmate is detained solely for civil immigration purpose; Prior acts of sexual abuse; Prior acts of violent offenses; and history of prior institution violence. Based on the screening information provided by the inmate and the prior review of the incoming inmates criminal history, the</p>

inmate is identified as a sexual aggressor, sexual victim, at risk of sexual abuse, one or more and/or neither. The determination of an inmate being identified as a prior victim of sexual abuse, at risk of sexual victimization and/or aggressor is automatically generated within the program based on the inmate responses to the various questions asked from the PREA Screening form Staff who perform screening reported inmates at risk of victimization are separated from inmates at risk of abusiveness based on the risk assessment score. Inmates identified as prior victims and/or as prior aggressors are identified as incompatible during risk screening Those who are at risk of victimization cannot be housed in the same cell but can be assigned to the same housing unit due to their assignment as incompatible. These inmates can be assigned to the same job and/or programs as they are assigned in smaller numbers and are directly supervised by staff assigned to these areas. Upon the count room officer attempting to assign inmates identified as a prior victim of sexual abuse and/or those identified at risk of sexual abuse with an inmate identified as an aggressor, staff would immediately receive an alert that these inmates are labelled as incompatible and the e-TOMIS system will not allow the assignment. Per an interview with the Chief Counselor and the RMSI PCM, the PREA the risk screening is utilized to ensure inmate safety through proper placement of housing that prevents the assignment of inmates identified as prior victims with those identified as prior aggressors. The facility has numerous housing units available that award staff with proper separation of prior victims from those identified as prior aggressors.

115.42(b) TDOC Index 502.06.1 Decisions concerning individual housing assignments and group activities for inmates who enter TDOC and are identified as Sexual Aggressors or Sexual Victims are the responsibility of the unit management team. This information is strictly on a need-to-know basis and housing, cell assignments, work, education and program assignments shall be made with a goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually aggressive. If behavioral health intervention is indicated, a referral shall be made in accordance with Policy #113.82, utilizing Institutional Health Services Referral, CR-3431. No inmate will be double celled until the required screening has been completed. Inmates who are deemed sexual aggressors or sexual victims will be appropriately housed until assessed by behavioral health professionals or classification. Once an inmate is identified as sexual aggressor or sexual victim at any time during their incarceration, the inmate shall be evaluated for appropriate housing and programs.

115.42(c) TDOC Index 502.06.1 states decisions to assign a transgender or intersex inmate to a facility for male or female inmates and in other housing and programming assignments are made on a case-by-case basis. TDOC Index 113.37 states Facility and housing assignments shall be made on a case-by-case basis and documented on pages 1 and 2 of the PREA Housing and Program Review, CR-4086, considers the patient' health and safety, as well as potential management and security concerns. An inmates' own views regarding safety shall be solicited and considered. Inmates who have completed surgical sexual reassignment therapy prior to incarceration shall be placed in a correctional facility as determined by the Gender Dysphoria, Transgender, Transsexual, Intersex, and Gender Non-Conforming Accommodation

Review Committee. For the purposes for facility placement, self-inflicted genital mutilation does not constitute surgical sexual reassignment therapy and does not qualify an inmate for placement in a facility for opposite-gender inmates. Per the RMSI PREA Compliance Manager and Chief Counselor, staff would make individual determinations of housing and programming assignments for an inmate identified as transgender and/or intersex would be based on the inmate's needs. However, both indicated there has never been an inmate designated at RMSI identified as transgender and/or intersex. Per the PREA Correctional Program Director II, every offender that enters into the TDOC agency is initially housed based on the outcome of the initial PREA screening. If an offender is identified as gay, lesbian, transgender, bisexual, or intersex, there is a panel that reviews the offender's housing assignment on a case-by-case basis to determine what's best for the offender's safety.

115.42(d) (e) TDOC Index 502.06.1 indicates that placement for inmates identified as transgender or intersex shall be considered on a case-by-case basis. These identified inmates shall be reclassified every six months by the assigned counselor to review any threats to safety experienced by the inmate. The inmate's own views with respect to his safety shall be given serious consideration. There were zero inmates identified as transgender and/or intersex designated to RMSI during the 12-month audit review period. Per interviews with staff who conduct risk screening they were aware of the requirement to conduct reclassification of inmates identified as transgender and/or intersex bi-annually. Per staff who conduct risk screening and the RMSI PCM who has been employed at the facility over 14 years, inmates identified as intersex and/or transgender have not been housed at RMSI.

115.42 (f) TDOC 112.08 states "Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates. Inmates will be able to shower, perform bodily functions, and change clothes without nonmedical staff of the opposite gender viewing them, except in circumstances that require immediate actions." Per the PAQ and interviews with staff, there has not been any inmates identified as transgender and/or intersex at the facility. However, they would be given the opportunity to shower at separate times from the other inmates. All showers are single stalls.

115.42(g) TDOC Index 113.37 Gender Dysphoria states, "Lesbian, gay, bisexual, transgender, or intersex inmates may not be placed in dedicated facilities, units, or wings solely based on such identification or status. Per the PAQ, and interviews with staff who conduct risk screening and the RMSI PCM no inmates were identified as gay, transgender, intersex and/or bi-sexual. The Warden and RMSI PCM indicated the facility do not house inmates identified as gay, bisexual, transgender, or intersex inmates in dedicated units or wings.

Based on the review of policies, completed risk assessments, interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. Interviews with: <ol style="list-style-type: none"> a. Warden b. Staff who supervise segregation <p>115.43(a) TDOC Index 502.06.2 states that any use of restrictive housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements set forth in this policy and coordinated by the unit management team. Protective Services Investigative Routing, CR-3241 shall clearly indicate the basis of concern for the inmate’s safety and the reason why no alternative means of separation can be arranged. This housing assignment shall not ordinarily exceed a period of 30 days. The PAQ noted and Warden confirmed there have been no inmates held in involuntary segregated housing in the past 12 months. An interview with the Warden revealed he was aware of the requirements pertaining to the placement of inmates at high risk of sexual victimization in involuntary segregated housing, but this practice is not applicable to RMSI. The facility does not use involuntary segregation housing for inmates determined to be at a high risk of victimization. The SART would become aware of the situation and alternate housing would be arranged. An inmate identified as at risk of victimization would be housed in single cell housing rather than segregation.</p> <p>115.43(b) TDOC Index 502.06.2 states that inmates placed in restrictive housing for this purpose shall have access to programs, education, and work opportunities to the extent possible. If inmate access to programs, privileges, education, or work opportunities is restricted, the facility shall document what opportunities have been limited, the duration of the limitation, and the reasons for such limitations. This shall be documented in Contact Notes. An interview with staff who supervise inmates in segregated housing indicated restrictive housing is not utilized for inmates identified as at a high risk of sexual victimization. The inmate would be assigned to alternate housing from his assigned area but not segregation and restrictions would not be a factor.</p> <p>115.43(c) The PAQ noted that no inmates were held in involuntary segregated housing for longer than 30 days in the past 12 months awaiting completion of assessment. The Warden indicated involuntary segregated housing is not used for inmates at high risk for sexual victimization. Staff utilize other methods to include making alternate housing arrangements within other housing units. However, a</p>

transfer would be initiated as needed for inmates. There were no inmates assigned to involuntary segregated housing during the review period and or during the site visit.

115.43(d) Index 502.06.2 which states if an extension is necessary, the SART member shall clearly document in the PREA Allegation System application the basis for concern for the inmate's safety; the reason why no alternative means of separation can be arranged; and the need for emotional support services for inmates or staff who fear retaliation for reporting sexual abuse, or sexual harassment, or for cooperation with investigations. However, an interview with the Warden confirmed the facility does not use involuntary segregated housing for inmates determined to be at a high risk of victimization as alternate housing would be utilized.

115.43(e) TDOC Index 502.06.2 states that every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population. In an interview with the Warden, he was aware of the requirement for 30 days reviews, however, the facility does not utilize involuntary segregated housing for an inmate who has been identified at a high risk for sexual victimization. An interview with staff who supervise inmates in segregated housing indicated the alleged victim and the alleged aggressor would be separated without the victim's placement in segregation and an investigation would be conducted. There were no inmates placed in segregation during the 12-month review period and or onsite visit identified as at a high risk of sexual victimization.

Based on the review of policies, documents, interviews and analysis, the facility has demonstrated compliance with all the provisions of this Standard.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. MOU Between TDOC and The Sexual Assault Center 4. TDOC Website 5. PREA Tip line Posters 6. PREA Posters 7. Inmate Handbook 8. Testing of inmate's phones 9. Interviews with: <ol style="list-style-type: none"> a. Random staff b. RMSI PCM c. Random Inmates <p>115.51(a) TDOC Index 502.06.2 states the Department shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment. These include but are not limited to: (a) written communication (includes electronic documents); (b) Reporting directly to staff (Verbally); (c) Third-party reporting; or (d) Facility PREA Tip Line. The Inmate Handbook and posters contain information on how to report sexual assault. Random inmate interviews indicate all inmates were aware of the reporting options available. They indicated there is signage on the walls and on each inmate telephone on how to report allegations of sexual abuse and/or sexual harassment to the PREA Hotline and calling the hotline number was a common response. Random staff interviews indicated they were also aware of the internal and external options available to the inmates and themselves. The auditor utilized the inmate housing unit telephone system to confirm their access to the two identified toll-free hotline numbers as *9222 internal and *9555 for external reporting as methods to report PREA allegations for investigations. The majority of the 42 inmates selected for interview were able to identify there are two PREA hotline numbers to the auditor as *9222 internal and *9555 for external reporting as these numbers are stenciled on walls in the housing units, on bulletin boards and are located on PREA posters in program and work areas in addition to include in the inmate handbook.</p> <p>115.51 (b) TDOC established a Memorandum of Understanding (MOU) with The</p>

Sexual Assault Center that was signed on January 16, 2014, and per interviews with the PREA Correctional Program Director II and the Sexual Assault Center PREA Coordinator, the MOU remains in effect. The Sexual Assault Center PREA Coordinator stated her organization has agreed to receive reports of sexual abuse and sexual harassment and to serve as a victim advocate for inmates at numerous TDOC correctional facilities to include RMSI. She and other agency staff have received calls on a regular basis from numerous inmates. She stated however, not all calls have been to report recent allegations of sexual abuse and/or sexual harassment but also to request counseling services for prior incidents of sexual assault. When authorized by an inmate to release the reported information, only then does she report it to the PREA Correctional Program Director II through the TDOC PREA Tip Line. This authorization is required to be submitted in writing and/or via a recorded phone conversation from the reporting inmate and only then may staff share the information provided by the inmate. Ongoing services to include victim advocacy, assistance during the legal procedures, emotional support through counseling, referrals for additional outside resources upon release within their release area, etc., has often been provided to the TDOC inmates to include inmates assigned to RMSI. The inmate population was familiar with both PREA Hotline numbers internal *9222 and external *9555, in addition to reporting directly to staff as their most common method of reporting. Per an interview with the RMSI PCM, she acknowledged the inmate's accessibility to the external source to report PREA allegations with The Sexual Assault Center where the inmate may remain anonymous upon request. This information is located in the inmate handbook and posted on the bulletin boards assessable to the inmate population. The reported allegations is immediately received and relayed to the facility unless the inmate requests to remain anonymous. RMSI does not house inmates who are detained solely for civil immigration purposes.

115.51(c) TDOC Index 502.06.2 indicates staff shall accept reports made verbally, in writing and all staff are required to report immediately to their supervisor any knowledge, suspicion, or information, anonymously, and third parties. All allegations shall be documented within 24 hours of becoming known to facility staff in the PREA Allegations System (PAS). Random staff interviews stated inmates could report sexual abuse or sexual harassment either verbally, in writing, anonymously, and via third parties. Staff indicated they would document verbal reports of sexual abuse or sexual harassment immediately and prior to the end of their shift. A review of the completed 25 PREA investigative case files confirmed the OIC Institution Investigator included within the summary the method in how the allegation was reported that included via the PREA Hotline, written notes to staff, verbally to staff, via grievances, and via a third-party. Per an interview with the RMSI mailroom staff, although the inmate's mail addressed as PREA is not authorized to be sealed without screening by staff during placement in the outgoing mailboxes, it is treated in the same manner as legal mail.

115.51(d) TDOC Index 502.06.2 and the PREA Lesson Plan instruct staff on various methods of reporting PREA sexual abuse, sexual harassment, retaliation by other inmates or staff or reporting sexual abuse and sexual harassment, and staff neglect of violation for responsibilities that may have contributed to an incident of sexual abuse and sexual harassment to include inmates to the Central Office PREA Tip Line

(615-253-8178). This information is also noted on the agency's website. During interviews with random and specialized staff, all were identified to have in their possession a PREA Refresher: Duty to Report Knowledge, Suspicion, or Information Card. The card provided methods in which staff can privately report by the following: 1) Telling your supervisor; 2) Telling the shift officer in charge; 3) Telling the Facility PREA Coordinator; 4) Submitting an anonymous incident report by dialing 615-253-8178. Staff cited the PREA hotline and/or directly reporting to a supervisor in person or through a private phone call as primary methods to make a private report of sexual abuse or sexual harassment.

Based on the review of policies, documents, website, interviews with the inmate and staff, testing of the internal and external PREA Hotlines, inmates' accessibility to forward confidential outgoing mail identified as PREA and the review of 25 investigations that demonstrated various methods utilized by the inmate population when reporting PREA allegations, the facility has demonstrated compliance with all the provisions of this standard.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 501.01 Inmate Grievance Procedures 3. Grievance Filed and Investigative Case Files 4. Interviews with: <ol style="list-style-type: none"> a. OIC Institution Investigator b. Grievance Sergeant c. Inmate Population <p>115.52(a)(b)(c) (d)(e) (f) (g) TDOC Index 501.01 indicates the agency has an administrative remedy program that may be used to file an allegation of sexual harassment or sexual abuse. It states an inmate may submit a grievance alleging sexual abuse at any time. An interview was conducted with the Grievance Sergeant who is responsible for the collection of grievances, monitoring, tracking and ensuring proper responses are returned to the inmate population. She maintains separate logbooks for accurate accountability and monitoring of PREA grievances from other facility grievances filed by the inmate population. The grievance handbook provided guidance regarding filing a grievance for a PREA related allegation. An inmate may submit a grievance regarding an allegation of sexual abuse at any time. Applicable time limits shall apply to any portion of a grievance that does NOT allege an incident of sexual abuse. After an investigation, a decision shall be rendered within 90 days of the initial filing of the grievance. An extension of up to 70 days may be applied if the normal time period for review and response is insufficient to render a decision. The inmate shall be notified in writing of any such extension. 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 request on behalf of inmates. If a third-party file a grievance on behalf of the inmate, he/she may agree to pursue or withdraw the grievance. If the inmate chooses not to pursue the grievance his/her decision shall be documented. Per a conversation with the Grievance Sergeant, upon receiving a grievance alleging PREA allegations, she immediately calls the OIC Institution Investigator, Associate Warden (T)/RMSI PREA Coordinator, while informing them verbally of the reported PREA allegation and forward the grievance to each via email for an immediate investigation.</p> <p>TDOC Index 501.01 states applicable time limits shall apply to any portion of a grievance that does not allege an incident of sexual abuse. An inmate may submit a</p>

grievance alleging sexual abuse at any time. Applicable time limits shall apply to any portion of a grievance that does not allege an incident of sexual abuse. The policy also notes an inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint and such grievance shall not be referred to a staff member who is the subject of the complaint. A review of the 25 reported PREA investigative case files confirmed there were one allegation of sexual harassment and one allegation of sexual abuse reported through the grievance process. The grievances were immediately forwarded to the OIC Institution Investigator for an investigation. An interview with the Grievance Sergeant confirmed there would be no attempt by staff to informally resolve the grievances filed with the inmates as all immediately forwarded to the OIC Institution Investigation for investigation.

TDOC Index 501.01 states an inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint and such grievance shall not be referred to a staff member who is the subject of the complaint. Per the PAQ, review of the PREA investigative case files and interviews with the Grievance Sergeant, and OIC Institution Investigator, there were one sexual harassment allegation and one sexual abuse allegations reported through the grievance process. The allegations were forwarded to the OIC Institution Investigator for an investigation.

TDOC Index 501.01 states a final decision on the merits of any portion of a grievance alleging sexual abuse shall be issued by the Associate Warden of Treatment within 90 days of the initial filing of the grievance. Computation of the 90-day limit shall not include time used by inmates in preparing the grievance. The inmate shall be notified by the Associate Warden of Treatment if an extension is needed. At any level of the grievance if the inmate does not receive a response within the time allotted to reply, including any extension, the inmate may consider the absence of a response to be a denial at that level. All grievances regarding PREA allegations are automatically forwarded by the Grievance Sergeant to the OIC Institution Investigator for the completion of an investigation. There were two PREA allegations reported through the grievance process during the 12-month review period. The one sexual abuse allegation was reported on November 2, 2022, and the investigation was concluded as unfounded by the OIC Institution Investigator on November 16, 2022. A sexual harassment allegation was reported through the grievance process on June 30, 2022, and concluded as unfounded on June 30, 2022, by the OIC Institution Investigator.

TDOC Index 501.01 states third parties shall be permitted to assist inmates in filing grievances related to allegations of sexual abuse and shall also be permitted to file such grievances on behalf of the inmate. If a third-party files such a grievance on behalf of an inmate, that inmate shall agree to have the grievance filed and document such on the Inmate Grievance form. The inmate shall be required to personally pursue any subsequent steps in the grievance process. The inmate may decline to have the grievance processed on his/her behalf and the decision shall be documented on the original Inmate Grievance. A review of the 25 PREA investigative case files, confirmed the one sexual abuse and one sexual harassment allegations were reported by the inmate himself and not by a third-party.

TDOC Index 501.01 states after receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the grievance chairperson shall immediately forward the grievance to the Associate Warden of Treatment for any corrective action to be taken. The grievance chairperson will provide a response within 48 hours and a final decision within five calendar days. Per the PAQ, Grievance Sergeant and OIC Institution Investigator, zero allegations of sexual abuse were reported as an emergency grievance and/or due to an inmate being subject to a substantial risk of imminent sexual abuse. Per the OIC Institution Investigator, all allegations of sexual abuse to include an inmate alleging to be subject to a substantial risk of imminent sexual abuse would be investigated immediately, all necessary measures to protect the inmate would be initiated. The initial response and final decision would be documented and maintained within the PREA Allegation System (PAS) that includes the facility's determination as to whether the inmate is in substantial risk of imminent sexual abuse while noting the action taken in response to the emergency grievance. The statements provided by OIC Institution Investigator and the Grievance Sergeant regarding the procedure of referring grievances of sexual abuse and sexual harassment for investigation was confirmed during the review of 25 PREA investigative case files that included the nine sexual abuse allegations reported throughout the review period.

TDOC Index 501.01 states an inmate may be disciplined for filing a grievance related to alleged sexual abuse only when it is demonstrated that the inmate filed the grievance in bad faith. An interview with OIC Institution Investigator explained that although policy allows disciplinary sanctions of inmates who file the grievance in bad faith, no inmates have received disciplinary actions for this action. Random and targeted inmate interviews confirmed their knowledge of the inmate's availability to report PREA allegations through the grievance process. Inmates are provided separate mailboxes within each housing unit that is collected by the Grievance Sergeant. Per an interview with the Grievance Sergeant, the grievance boxes are checked Monday - Friday just as all outgoing mail. Interviews with 42 inmates to include random and targeted groups confirmed their awareness of their accessibility to report PREA allegations through the Grievance process.

Based on the review of policies, PREA investigative case files to include grievance filed allegations, interviews with the Grievance Sergeant, OIC Institution Investigator, staff and inmate population, and analysis, the facility has demonstrated compliance with all the provisions of this standard.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed: Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 506.06.2 PREA Allegations, Investigations, and SART 3. RMSI Inmate Handbook 4. MOU with The Sexual Assault Center 5. Observation during site visit 6. Interviews: <ol style="list-style-type: none"> a. The Sexual Assault Center PREA Coordinator a. Inmate Population b. Inmates who reported sexual abuse <p>115.53 (a) (b) (c) TDOC Index 502.06.3 notes Inmates Access to Facility and Outside Confidential Support Services: (1) The name and contact information of the facility’s Inmate PREA Victim Advocate shall be posted on each housing unit bulletin board. The facility shall ensure that inmates are provided access to outside victim advocate for emotional support services related to sexual abuse by giving inmates the mailing address and telephone numbers, including toll-free hotline numbers, were available, of local, state, or national victim advocacy or rape crisis organization. The facility does not detain persons solely for civil immigration purposes, and/or immigrant services agencies. The Facility PREA Coordinator shall ensure that inmates are informed, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. Upon each inmate’s arrival at RMSI, they are given a RMSI Inmate Rules and Regulations Handbook which outlines methods of reporting PREA allegations and staff responses to the report. The information is provided in English and Spanish. It states “Victims of sexual assault may also contact the following public help lines: Sexual Assault Center of Middle Tennessee 101 French Landing Nashville, Tennessee 37228 1-800-879-1999; calls to this number cannot be monitored 615-259-9055 and the National Sexual Assault Hotline 800-656-HOPE (4673). The inmate population signs for the receipt of the handbook. Interviews with three (3) inmates who reported sexual abuse identified one received a forensic examination. He indicated he refused victim advocate service offered by outside resources while at the hospital but did accept services by the facility’s victim</p>

advocate while at the hospital and upon returning to the facility.

The TDOC shall attain a memoranda of understanding (MOU) or other agreements with community services providers that are able to provide inmates with confidential emotional support services related to sexual abuse. Memorandum of Understanding is to be approved by the TDOC General Counsel. The TDOC established and Memorandum of Understanding (MOU) with The Sexual Assault Center that was signed on January 16, 2014, and per interviews with the PREA Correctional Program Director II and the Sexual Assault Center PREA Coordinator, the MOU remains in effect. The Sexual Assault Center PREA Coordinator stated her organization has agreed to receive reports of sexual abuse and sexual harassment and to serve as a victim advocate for inmates at numerous TDOC correctional facilities to include RMSI. She and other agency staff have received calls on a regular basis from numerous inmates. She stated however, not all calls to the center have been to report recent allegations of sexual abuse and/or sexual harassment but also to request counseling services for prior incidents of sexual assault. When authorized by an inmate to release the reported information, only then does she report it to the PREA Correctional Program Director II through the TDOC PREA Tip Line. This authorization is required to be submitted in writing and/or via a recorded phone conversation from the reporting inmate and only then may staff share the information provided by the inmate. Interviews with the 42 inmates confirmed their awareness of the two PREA Hotline numbers posted that included the internal and external numbers. Several inmates quoted the PREA Hotlines numbers that are stencils above and/or near the inmate telephones in their housing units.

Based on the review of agency policy, the established Memorandum of Understanding with The Sexual Assault Center and interview with The Sexual Assault Center's PREA Coordinator, review of RMSI Inmate Orientation Handbook, posting of internal and external PREA Hotline numbers, mailboxes within housing units and interviews with staff, and inmates that demonstrated their knowledge of the available resources, RMSI does meet all standard provisions.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 506.06.2 PREA Allegations, Investigations, and SART 3. TDOC website 4. Observation during site visit 6. Interviews: <ol style="list-style-type: none"> a. Inmate Population <p>115.54(a) TDOC Index 502.06.2 states, The Department shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment. It indicates that third-party reporting is included in the ways to report. It states this information shall be made available through the Inmate Handbook. RMSI Handbook indicates that any RMSI employee may receive a report of sexual misconduct from many different sources, including outside persons or agencies. The reported incident may be in writing, verbal, anonymous or from third parties. Interviews with staff confirmed they were aware of the various methods reports of sexual abuse and/or harassment could be reported while noting the identified.</p> <p>During the site visit, the auditor observed signage posted throughout the facility advising staff, inmate population and visitors of ways to report PREA allegations in the front lobby, inmate visiting area, program areas and housing units. The auditor reviewed the agency's website. It contains the necessary PREA contact information. The information provided on the website includes a Tip line for third-party reporting of sexual abuse and sexual assault at (615) 259-9055. Interviews with both random and targeted group inmates revealed the majority were aware that a third-party could report a sexual assault allegation such as a family member, friend, or another inmate.</p> <p>Based on the review of policies, documents, agency website, interviews with random and targeted group inmates and analysis, RMSI meets all provisions of the standard.</p>

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. Interviews: <ol style="list-style-type: none"> a. Warden b. PREA Correctional Program Director II c. RMSI Warden d. Medical and Mental Health Staff e. Random staff <p>115.61(a) TDOC Index 502.06.2 states, all staff are required to report immediately to their supervisor any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of TDOC, retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. In interviews with staff and inmates they reported they are aware of their requirement and duty to report. Staff carry a PREA refresher card attached to their identification badge with instructions upon receiving an allegation of sexual abuse and/or sexual harassment. Interviews conducted with 23 randomly selected staff and facility specialized staff indicated they would immediately report through their chain of command and/or the Shift Commander. All staff indicated they would document verbal reports to include information reported via a third party during the shift they received the information.</p> <p>115.61(b) TDOC Index 502.06.2 states staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. TDOC utilizes a PREA Allegation System (PAS) on their intranet. Selected authorized staff only have access. Staff interviewed was aware of the extent in which information of sexual abuse and/or sexual harassment should be shared only with authorized staff as necessary to make treatment, investigation and other security and management decisions.</p> <p>115.61(c) TDOC Index 502.06.2 states, "Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse as outlined in this policy and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services."</p>

Interviews with medical and mental health staff indicate the practitioners verbally inform each of their limitations to confidentiality. Per mental health, the inmate is required to acknowledge by signature notification of mental health staff limitation to confidentiality. Per medical staff, the inmate is only verbally informed. This information is shared with each inmate at the initiation of services.

115.61(d) The PREA Audit manual states, "If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the Department shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws." TDOC received guidance from Adult Protective Services which indicates that TDOC may investigate within their facilities. Per an interview with PREA Correctional Program Director II, and RMSI Warden no inmates under the age of 18 years old are housed at RMSI. RMSI houses male inmates 18 years of age or older. Inmates housed at RMSI were identified between the ages of 19 -75 years old.

115.61(e) TDOC 502.06.2 states, Facility staff shall report all allegations of sexual abuse and sexual harassment, including third-party, and anonymous reports, to the OIC Institution Investigator for an investigation. Per an interview with the RMSI Warden, regardless of the manner in which an allegation of sexual harassment and/or sexual abuse is reported to include via third-party, or anonymously are immediately referred for an investigation by the OIC Institution Investigator and/or OIC Special Agent. Additionally, they are investigated in the same manner as those reported directly by an alleged victim.

Based on the review of policies, documents, interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. Interviews with: <ol style="list-style-type: none"> a. Agency head b. Warden c. Random staff <p>115.62(a) TDOC Index 502.06.2 states “If facility staff receives information that an inmate is subject to a substantial risk of imminent sexual abuse, staff shall take immediate action to protect the inmate. The auditor interviewed random and specialized staff. They all stated that they would remove the inmate from the area of threat and notify the Shift Commander. Staff to include contract and volunteers are issued and carry a PREA Refresher Training card on their badge which list the steps to take to protect an inmate. The facility stated in the PAQ that there have been zero instances in which an imminent threat was of sexual abuse reported.</p> <p>An interview with the Agency Head Designee indicated upon receipt of information that an inmate is subject to a substantial risk of imminent sexual abuse, the inmate would be immediately removed from danger, the incident would be investigated, and the appropriate steps would be followed. The alleged aggressor would be placed in segregation throughout the investigation and upon completion, the alleged aggressor would be moved to another housing unit or transferred to another TDOC facility.</p> <p>Per an interview with the Warden, he indicated an inmate identified as at a substantial risk of imminent sexual abuse, the inmate would be immediately separated for his safety, assigned to a different housing unit and monitored. However, the inmate would not be placed in involuntary segregation.</p> <p>The auditor used a variety of scenarios when interviewing staff regarding their action to this standard. Each staff indicated they would immediately remove the inmate identified as subject to a substantial risk of imminent sexual abuse from the area of threat and notify their supervisor.</p> <p>Based on the review of policies, documents, lesson plan, interviews and analysis, the facility has demonstrated compliance with all the provisions of this standard.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. PREA Investigative Case Files 4. Reported PREA Allegation 5. Interviews with: <ol style="list-style-type: none"> a. Agency Head Designee b. Warden c. RMSI PREA Compliance Manager d. OIC Institution Investigator <p>115.63 (a) (b) (c) TDOC Index 502.06.2 states upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Warden of the facility that received the allegation shall notify the head of the facility where the alleged abuse occurred. It further indicated notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation. In interviews with the Warden and RMSI PREA Coordinator they indicated that they would make the notification immediately. The PAQ identified the facility received zero allegations of sexual abuse having occurred at an arrival inmate's previous facility. However, this number was later identified as incorrect. There was one (1) reported allegation of sexual abuse reported as occurring at an inmates' previous institution. Documentation via email notification supported the OIC Institution Investigator forward notification of the reported allegation to the affected facility's Assistant Warden/PREA Coordinator, OIC Facility Investigator, OIC Special Agents, for an investigation in addition to notification to the TDOC PREA Coordinator as the RMSI Warden's Designee.</p> <p>115.63 (d) TDOC Index 502.06.2 states "The Warden who receives such notification shall ensure that the allegation is investigated in accordance with TDOC policy. Per the PAQ, and review of 25 PREA investigative cases, RMSI received zero reports of prior PREA allegations occurrences from other institutions. An interview with the Warden indicated that he would ensure that upon receiving notification from any source to include from another facility that an allegation of sexual abuse and/or sexual harassment had been reported would result in an immediate investigation by the OIC Institution Investigator and/or OIC Special Agent.</p>

Per the Agency Head Designee, if another agency or a facility within another agency refers allegations of sexual abuse or sexual harassment that occurred within a TDOC facilities, the designated point of contact is the Statewide PREA Coordinator who in turn will notify the Warden, the Facility PREA Coordinator, and the Institutional Investigator. Additionally, TDOC does have examples of outside agency referrals which are routinely received from outside Rape Crisis Centers.

Based on the review of policies, two email notifications of reported PREA allegation having occurred at other facilities, investigative case files, interviews and analysis, the facility has demonstrated compliance with all the provisions of this Standard.

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. Sexual Abuse Casefiles 4. Staff PREA Cards 5. Interviews with: <ol style="list-style-type: none"> a. Security First Responder b. Random staff c. Inmates Who Reported Sexual Abuse <p>115.64(a) TDOC Index 502.06.2 indicates the first security staff on scene of an alleged sexual abuse shall separate the alleged victim and abuser. The security staff shall preserve and protect any crime scene until appropriate steps can be taken to collect any evidence. If the alleged sexual abuse occurred within a 72-hour period of reporting, the security shift supervisor who is notified of the allegation shall initiate the Sexual Abuse Incident Check Sheet, CR-3776. The facility reported nine (9) allegations of sexual abuse. However, one (1) was reported within under the circumstances in which the sexual abuse included sexual contact and/or involved the immediate separation of the victim and aggressor, preservation and protect of a crime scene, actions to protect physical evidence by the alleged victim and/or aggressor. The victim was discovered decreased upon staff entering the cell. The cell was secured as a crime scene. An additional sexual abuse allegation was reported under the circumstances in which preservation and protection of a crime scene, actions to protect physical evidence by the alleged victim was initiated by the responding staff. Per an interview with a security first responder upon being notified of the sexual assault the assailants had previously departed the crime scene. He maintained a visual on the inmate while advising him to preserve all physical evidence and immediately notified the Shift Commander and the cell was secured as a crime scene. An interview with the inmate confirmed the security staff first responder immediately called the shift supervisor and he was advised to follow the preservation of evidence protocol. He was seen by the facility medical staff then transported to the local hospital for a forensic examination.</p> <p>115.64(b) TDOC Index 502.06.2 states, "If the first staff responder is not a security staff member, he/she is required to instruct the alleged victim not to take any actions that could destroy physical evidence and then immediately notify the shift</p>

commander. All staff interviewed, including non-custody staff, were aware of their responsibilities as first responders. All reported they would immediately separate inmates and maintain sight of a victim, do what they could to preserve a crime scene including advising involved inmates not to shower, change clothing, brush teeth, eat, drink, or use the toilet. All staff are trained as first responders and wear a pocket card on their badge that lists the steps to take when responding to an allegation that an inmate was sexually abused. There were zero reported allegations where a non-security staff served as a first responder duties that included the actions of advising the alleged victim to preserve physical evidence and/or staff securing the affected area. However, interviews with both security and non-security staff confirmed their knowledge of first responder duties of securing the area, preservation and collection of evidence when an inmate reports an allegation of sexual abuse.

Based on the review of policies, interviews with security and non-security staff, inmates involved in sexual abuse allegation, investigative casefiles, and analysis, the facility demonstrated compliance with all the provisions of this standard.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. RMSI Index 502.06.2-1 PREA Allegations, Investigations, and SART 3. Interviews with: <ol style="list-style-type: none"> a. Warden <p>115.65 Per an interview with RMSI Warden he indicated the written institutional plan to coordinate actions taken in response to an incident of sexual abuse is noted in the RMSI Index 502.06.2 policy. The policy outlines the responsibilities and procedures for all staff and departments in response to allegations of sexual abuse. The procedures include the following: Responsibility of First Responders; Medical (Access to Emergency Care); Prevention; Inmate Access to Facility and Outside Confidential Support Services; Sexual Abuse Response Teams (SART) Response; Follow-up Care for Sexual Abuse to include Ongoing medical and behavioral health care for sexual abuse victims and abusers; SART Investigations; Reporting the Status of Allegations to Inmates; Disciplinary Sanctions for Staff; and Disciplinary Sanctions for Inmates..</p> <p>Based on a review of the policy that dictates the facility's institutional plan and interview with the Warden, the facility has demonstrated compliance with this standard.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. Tennessee Code Annotated 50-1-207 3. Interview with: <ol style="list-style-type: none"> a. Agency Head Designee <p>1</p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. Tennessee Code Annotated 50-1-207 3. Interview with: <ol style="list-style-type: none"> a. Agency Head Designee <p>115.66(a) TCA Code 50-1-207 states “Prohibition against requiring any employer or employee to waive their rights under the National Labor Relations Act or require acceptance or agreement to any provisions that are mandatory or non-mandatory subject of a collective bargaining under Federal law. The Agency Head Designee reported that TDOC does not have a union. TDOC has discretion regarding the assignment, hiring and firing of staff and no limitations to the agency’s ability to remove employee sexual abusers from contact with inmates.</p> <p>Based on a review of the code, interviews and analysis, the facility has demonstrated compliance with this standard.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. Retaliation Monitoring Documentation 4. Interviews with: <ol style="list-style-type: none"> a. Agency Head b. Warden c. Staff assigned to conduct retaliation monitoring. d. Inmate Identified in Substantiated Sexual Abuse Investigation <p>115.67 (a) TDOC Index 502.06.2 indicates that inmates and staff who are involved in reporting sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation by other inmates or staff. Appointed members of the facility Sexual Assault Response Team (SART) shall monitor staff and inmates for protection from retaliation utilizing PREA Retaliation Review (Inmates) for inmates, CR-3963, and PREA Retaliation Review (Staff), CR-3982, for staff. RMSI has designated the following position titles to serve as staff to conduct retaliation monitoring as these staff are members of SART: Chief Counselor and Behavior Health Administrator.</p> <p>115.67(b) TDOC Index 502.06.2 indicates the facility shall employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. Per interviews with the Agency Head Designee and Warden, there are multiple options available to protect the inmate population and staff from retaliation. TDOC monitors victims and aggressors for retaliation on a 30-, 60-, and 90-day time frame. In addition, TDOC offers the victim the ability to transfer facilities. Should the victim decide to remain, the aggressor is transferred to another facility. At a minimum, the victim and aggressor are listed as incompatible and prohibited from being housed together.</p> <p>An interview with staff assigned to conduct retaliation monitoring indicated he initiates regular contact with inmates identified for monitoring. He asks the inmate if he has experienced any contact with the aggressor and/or others negative circumstances in relation to the reported allegation. He also makes himself available to the victim and advises the inmate to contact him or the Behavior Health</p>

Administrator regarding any concerns.

Per staff assigned to conduct retaliation monitoring in addition to personal interaction with the victim, he also communicates with staff assigned to the inmate's housing unit and/or work detail. He reviews the inmates' disciplinary records in TOMIS and monitors the inmate for cell changes through the inmates' Counselor. He ensures he meets with the victim at a minimum of 30, 60 and 90 days for all substantiated and unsubstantiated sexual abuse investigations. There were no inmates in segregated housing for being at a risk of sexual victimization and/or who allege to have suffered sexual for interviews per the standard provision.

115.67(c) (d) TDOC Index 502.06.2 states, "For at least 90 days following a report of sexual abuse, the Department shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse. Departmental monitoring shall involve looking for any changes that may suggest possible retaliation by inmates or staff. Institutional SART members shall act promptly to remedy any such retaliation. TDOC Index 502.06.2 also states monitoring shall continue beyond 90 days if the initial monitoring indicates a continuing need. This monitoring shall include but is not limited to inmate disciplinary reports; inmate housing or programming changes; or negative performance reviews or reassignments of staff. An interview with staff assigned to conduct retaliation monitoring indicated he initiates regular contact with inmates identified for monitoring and communicate with staff assigned to the inmate's housing unit and/or work detail. He reviews the inmates' disciplinary records in TOMIS and monitors the inmate for cell changes through the inmates' Counselor. He meets with the victim at a minimum of 30, 60 and 90 days for all substantiated and unsubstantiated sexual abuse investigations and although he has not experienced a need to extend beyond 90 days, he would if deemed necessary. The auditing team selected 25 of the completed 43 PREA investigations for review that included all sexual abuse investigations. The review included three (3) substantiated sexual abuse investigations; and one (1) unsubstantiated sexual abuse investigations while the remaining (5) sexual abuse investigations were determined as unfounded. The unfounded sexual abuse investigations were completed with three days of the reported allegations and did not require a retaliation monitoring period. The review of these investigative case files contained documentation that supported retaliation monitoring was conducted in accordance with TDOC agency policy and the standard provision at 30-, 60- and 90-day intervals.

The retaliation monitoring forms included the inmate's name and case number, the facility, victim, report date, retaliation monitor and preliminary protection measures. The tracking portion of the form identifies housing changes, programming changes, disciplinary record, etc., as items to monitor, and provides designated spaces for documenting retaliation monitoring of 30 days, 60 days, and 90 days, in addition to areas for extended monitoring. It also includes a column for the retaliation monitor to include notations regarding negative interactions with staff or inmates. No victims of sexual abuse and/or sexual harassment were placed on extended monitoring during the 12-month review period.

115.67 (e) Pursuant to TDOC Index 502.06.2 if any other individual who cooperates with an investigation expresses a fear of retaliation, the Department shall take appropriate measures to protect that individual against retaliation. Per the Agency Head, retaliation for cooperation is not tolerated in TDOC. If the individual is an offender, they would be granted protective custody status until the aggressor is removed from the compound and the retaliation could be addressed. If the individual is a staff member, steps are instituted to ensure that retaliation is recognized and addressed appropriately (i.e. termination of aggressor, staff transfer of retaliator, or re-assignment of retaliator). Per an interview with the RMSI Warden, protective measures would immediately be initiated to protect an inmate and/or staff member from retaliation. In regard to inmate performing acts of retaliation, the inmates would be immediately separated, an investigation would be conducted and for substantiated cases, the involved inmates would be assigned Enemy Status, and disciplinary sanctions would be applied in addition to a transfer would be initiated as applicable. Staff would be monitored for reassignments from normal duty stations and/or unreasonable denial of requested leave request, and/or a hostile environment by peers. Emotional support would also be offered. Job assignments could be considered, including housing assignments, and a possible transfer as applicable. The identified individual performing retaliation would receive discipline up to dismissal upon the completion of an investigation by the OIC Institution Investigator or OIC Special Agent.

115.67 (f) The Department's obligation to monitor shall terminate if the agency determines that the allegation is unfounded. The review of the PREA investigations determined to be Unfounded did not include the retaliation monitoring of the alleged victim as all investigations were completed within 72 hours of being reported and retaliation monitoring was not required.

Based on the review of policies, timely completed retaliation monitoring forms, PREA casefiles, interviews and analysis, the facility has demonstrated compliance with all provisions of this standard.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. Interviews with: <ol style="list-style-type: none"> a. Warden b. Special Housing Supervisor <p>115.68 (a) TDOC Index 502.06.2 indicates any use of restrictive housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of this policy and coordinated by the unit management team. Protective Services Investigative Routing, CR-3241, shall clearly indicate the basis of concern for the inmate’s safety and the reason why no alternative means of separation can be arranged. Every Protective Custody placement is reviewed every 30 days. Inmates placed in restrictive housing for this purpose shall have access to programs, education, and work opportunities to the extent possible. If inmate access to programs, privileges, education, or work opportunities is restricted, the facility shall document what opportunities have been limited; the duration of the limitation; and the reasons for such limitations. This is documented on LCDG Contact Notes. Per the PAQ and interviews with the Warden, staff who supervise segregation and PCM, there were no inmates placed in involuntary segregated housing during the in the past 12 months based on their reported allegation of sexual abuse. The alleged aggressor may be placed in restrictive housing but not the alleged victim.</p> <p>Based on the review of policies, interviews and analysis, the facility has demonstrated compliance with this standard.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. TDOC PREA Allegation Documentation Checklist 4. PREA Investigation Case Files 5. Interviews with: <ol style="list-style-type: none"> a. Warden b. Correctional Program Director II/TDOC PREA Coordinator c. RMSI PREA Compliance Manager d. OIC Institution Investigator and OIC Special Agent <p>115.71(a) TDOC 502.06.2 states it is the policy of TDOC to investigate all PREA sexual abuse and sexual harassment allegations in a timely, efficient, and confidential manner in accordance with federal guidelines (Title 28 (CFR Part 115)). Staff shall accept reports made verbally, in writing, anonymously, and from third parties. Allegations shall be documented within 24 hours of becoming known to facility staff in the PREA Allegation System (PAS). These investigations shall be conducted within 72 hours of receiving the allegation. SART team members/investigators who have received special training in conducting sexual abuse investigations in confinement settings shall investigate all allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. There were 43 allegations of sexual abuse and/or sexual harassment allegations reported during the review period. The auditing team selected 25 investigative case files that include substantiated, unsubstantiated, and unfounded sexual abuse and sexual harassment allegations.</p> <p>115.71(b) TDOC 502.06.2 states, “where sexual abuse is alleged, the agency shall use investigators who have received special training in sexual abuse investigations.” A Sexual Abuse Response Team (SART member who has received special training in conducting sexual abuse investigations in confinement settings shall investigate. The OIC Institution Investigator is a member of the SART and conduct all administrative investigations of alleged sexual abuse and sexual harassment. The OIC Institution Investigator refers all investigations that could result in criminal charges to the OIC Special Agent for investigation. Training records noted the completed investigations were completed by an investigator who had received specialized training in accordance with standard 115.34.</p>

115.71(c) TDOC Index 502.06.2 indicates that OIC Special Agents shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. The review of 25 investigation files supported the investigators utilized available evidence and data to include but not limited to the inmate's phone system, video monitoring, witness statements, interviews, written documentation, and review of previously reported allegations. Per interviews with the OIC Special Agent, the first steps in initiating an investigation would be on a case-by-case basis depending on the circumstances of the allegations reported to include where the incident occurred and when it was reported after occurring. However, they would ensure the victim and aggressor is immediately separated while ensuring the safety of the victim is treated by medical to include a forensic medical examination and offered a victim advocate, collect all available evidence, photograph the affected area, review available video, conduct interviews with those involved, witnesses and others within the area to include staff and inmates, review inmate telephone calls to include victim, aggressor, and other inmates assigned to the area. A review of the prior complaints and reports of sexual abuse is conducted. All information gathered is documented and uploaded within the PREA Allegation System (PAS) where it is secured with limited access to authorized staff only. When the evidence supports possible criminal charges, the investigation is preferred for criminal prosecution. All reported allegations of sexual abuse and sexual harassment to include those reported anonymously and via third-party are investigated in the manner as those reported directly.

115.71(d) TDOC Index 502.06.2 states when the quality of evidence appears to support criminal prosecution, the Department shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. An interview with the OIC Special Agent indicated he has communicated with the State Assistant District Attorney depending on the circumstances of the case and evidence obtained such as in cases where a confession is obtained.

115.71(e) TDOC Index 502.06.2 states, "The credibility of a victim, suspect, or witness, shall be assessed on an individual basis, and shall not be determined by the person's status as inmate or staff. Inmates who allege sexual abuse shall not be required to submit to a polygraph examination or other truth telling devices as a condition for proceeding with the investigation of such an allegation." Review of investigation files did not indicate the use of a polygraph or other truth-telling device or examination. Investigators stated the credibility of an alleged victim, suspect, or witness is considered on an individual basis. Additionally, neither investigator indicated under any circumstance would a victim be requested and/or required to submit to a polygraph examination. However, the review of the investigative case files identified one inmate volunteered during his interview his willingness to submit to one.

115.71(f) TDOC Index 502.06.2 indicates that administrative investigations shall include an effort to determine whether staff actions or failures to act facilitated the

abuse and shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative findings. A review of administrative investigations and sexual abuse incident reviews demonstrated the OIC Institution Investigator and SART team members include a review to determine the effect of staff actions or failures as it pertains to the reported allegation. An interview with both the OIC Institution Investigator and the OIC Special Agent confirmed they include detailed information in the investigative report if staff 's actions or lack of responsibilities contributed in facilitating the abuse. Additionally, the review of the case files documented written warnings were placed in two security staff official human resources files due to being identified during the investigation as failing to follow housing unit procedures.

115.71(g) TDOC 502.06.2 states that criminal investigations shall be documented in a written report which contains a thorough description of physical, testimonial, and documentary evidence. Copies of all documentary evidence shall be attached where feasible. Interviews with the OIC Special Agent and the review of 25 investigative case files that included nine (9) sexual abuse investigations. The review identified two (2) substantiated sexual abuse cases that were referred for criminal prosecution. One case was declined by the Assistant District Attorney and the second inmate remained pending criminal prosecution for murder. The remaining seven (7) sexual abuse allegations were concluded as administrative investigations. All investigative case files contained the reviewed documentation to include statements, applicable medical and mental documentation, photographs of victims, aggressor, witnesses, video footage, collected physical with documented chain of custody, and testimonial evidence that was used to determine the investigative findings.

115.71(h) TDOC Index 502.06.2 states, "Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution. The PAQ identified two (2) investigations that were referred for criminal prosecution. One case was declined by the Assistant District Attorney and the second identified aggressor remained pending criminal prosecution for murder.

115.71(i) TDOC Index 502.06.2 states that such investigative records shall be retained for as long as the alleged abuser is incarcerated or employed by the Department, plus five additional years. This practice was confirmed by the OIC Institution Investigator and OIC Special Agent. He further stated the agency does not destroy the investigative case files, as they are maintained indefinitely and are available for referencing in the internal investigation department database.

115.71(j) TDOC Index 502.06.2 states that the departure of the alleged abuser or victim from the employment or control of the facility or Department shall not provide a basis for terminating an investigation. Review of investigative files and interviews with both the OIC Institution Investigator and OIC Special Agent confirmed although staff may resign during an investigation, the investigation would continue to include the arrest and prosecution of staff when applicable. The alleged abuser could be requested to report to the facility for an interview or the investigative staff (OIG Special Agent) may report to the alleged abuser's residence to conduct an interview. An investigation for reported allegations of sexual abuse and/or sexual harassment

also continues if an inmate is transferred or released of the alleged victim and/or alleged aggressor.

115.71 (k)(l) The Office of Investigations and Conduct is part of the Tennessee Department of Corrections and conducts its own criminal as well as administrative investigations into cases of sexual abuse and sexual harassment. Per interviews with the OIC Institution Investigator, OIC Special Agent, Warden, and Correctional Program Director II, TDOC OIC Investigators complete all investigations.

Based on the review of TDOC policy, interviews with OIC Institution Investigator and OIC Special Agent, investigators' training, and investigative reports that meets the standard provisions, and analysis, RMSI has demonstrated compliance with all provisions of this standard.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. PREA Investigation Case Files 4. Interviews with: <ol style="list-style-type: none"> a. OIC Institution Investigator and OIC Special Agent <p>115.72(a) TDOC Index 502.06.2 states, “The Department shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse are substantiated.” The review of 25 investigative case files indicated the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Per interviews with the OIC Special Agent and OIC Institution Investigator a preponderance of evidence is the standard necessary to substantiate an allegation of sexual abuse and/or sexual harassment for an administrative investigation and probable cause is the requirement for criminal prosecution of substantiated criminal charges.</p> <p>Based on the review of agency policy, investigative case files, interviews with the OIC Special Agent and OIC Institution Investigator, and analysis, the facility has demonstrated compliance with this standard.</p>

115.73 Reporting to inmates

Auditor Overall Determination: Meets Standard

Auditor Discussion

Evidence Reviewed (documents, interviews, site review):

1. RMSI Completed Pre-Audit Questionnaire (PAQ)
2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART
3. TDOC PREA Status Notifications CR-3984
4. PREA Investigative Case Files
5. Interviews with:
 - a. Warden
 - b. RMSI PCM
 - c. OIC Institution Investigator and OIC Special Agent
 - d. Inmate Who Reported PREA Allegations

115.73(a) TDOC Index 502.06.2 states that following an investigation into an inmate’s allegation that he or she suffered sexual abuse in a facility, the Department shall inform the inmate in writing as to whether the allegation has been determined to be substantiated or unsubstantiated or unfounded. Interviews with the OIC special Agent and OIC Facility Investigator both indicated the inmate receives notification of the investigative finding upon completion of the investigation by the OIC Facility Investigator. This procedure was also confirmed by the RMSI Warden. The auditing team selection of 25 PREA investigative case files confirmed all contained a copy of the Inmate PREA Allegation Status Notification form for allegations of sexual abuse and sexual harassment. Of the 25 reviewed investigations, there were nine sexual abuse investigations. Two were referred for criminal investigation. However, one was declined for criminal prosecution. The second aggressor involved an inmate-on-inmate sexual assault was also charged with murder of the victim. Criminal charges remain pending. The remaining seven (7) sexual abuse investigations were concluded as administrative investigations. Interviews with three (3) inmates who reported sexual abuse each indicated they were informed of the investigative findings; however all did not sign their acknowledgment on the notification form.

115.73(b) The agency conducts its own criminal as well as administrative investigations into cases of sexual abuse and sexual harassment. Therefore, this provision is not applicable.

115.73(c) TDOC Index 502.06.2 states that following an inmate’s allegation that a staff member has committed sexual abuse, the Department shall subsequently inform the inmate in writing whenever: the staff member is no longer posted within the

inmate's unit; the staff member is no longer employed at the facility; the staff member has been indicted on a charge related to sexual abuse within the facility; and the staff member has been convicted on a charge related to sexual abuse within the facility. RMSI reported nine (9) sexual abuse allegations during the 12-month review period. The investigative findings were identified as the following (1) staff on inmate; four (4) staff on inmate unfounded; two (2) inmates on inmate substantiated; one (1) inmate on inmate unsubstantiated; and one (1) inmate on inmate unfounded. The review of the investigative files confirmed an Inmate PREA Allegation Status Notification identifying the investigative findings were prepared for each inmate victim as applicable based on the circumstances as one was decreased. The one (1) Substantiated staff on inmate sexual abuse investigative casefile form noted "The employee is no longer employed at the facility." Criminal charges were not identified during the completion of the administrative investigation. However, the contract staff member was banned from employment with the TDOC and RMSI. The victim identified in the substantiated staff on inmate sexual abuse investigation was not assigned at the RMSI during the site visit and therefore was not interviewed.

115.73(d) TDOC Index 502.06.2 indicates that following an investigation into an inmate's allegation that he or she suffered sexual abuse in a facility, the Department shall inform the inmate in writing whenever the facility learns that an alleged abuser has been indicted on a charge related to sexual abuse within the facility. One substantiated inmate on inmate sexual abuse finding was determined during an investigation that included murder charges. The case remained pending prosecution. The victim was discovered as deceased and therefore, notification was not applicable. The review of the second inmate on inmate substantiated sexual abuse investigation included documentation that the Assistant District Attorney declined to prosecute the aggressors. The victim stated he was informed of the investigative finding and the District Attorney's decision not to pursue criminal charges.

115.73(e) TDOC Index 502.06.2 states that all notifications shall be done in writing using Inmate PREA Allegation Status Notification, CR-3984, and the inmate shall acknowledge by signature that he/she has received such notification. The notification becomes part of the allegation file. If the inmate refuses to sign the acknowledgement, a staff witness is required to sign. The investigative staff will document the inmate's refusal to sign for acknowledgment of notification. Interviews with the Investigative staff and the Warden indicated that both were aware of the agency's requirement for notifications to be made by Investigative staff. The RMSI reported 43 PREA allegations during the 12-month review period and the auditor selected 25 investigations for review. Each of the reviewed casefiles confirmed an Inmate PREA Allegation Status Notification identifying the investigative findings was prepared for the inmate victim. The review included instances in which the victim acknowledged receipt of the notification, and/or their refusal to acknowledge their signature on the form. In such cases, a second staff member served as witness to the victim's refusal.

Based on the review of policies, completed Inmate PREA Allegation Status Notification forms, interviews and analysis, the facility has demonstrated compliance with this standard.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. PREA Investigative Case Files <p>115.76 (a-d) TDOC Index 502.06.2 states staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse, sexual harassment, or PREA policies. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual touching only after conclusion of investigation. Sanctions shall be commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. All terminations for violations of the Department’s sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies (unless the activity was clearly not criminal) and to any relevant licensing bodies.</p> <p>RMSI reported 43 PREA allegations of sexual abuse and/or sexual harassment. Although there were 25 staff on inmate reported sexual harassment allegations and five (5) staff on inmate sexual abuse allegations, there were zero substantiated TDOC staff on inmate substantiated investigations. Therefore, disciplinary sanctions and/or termination of agency staff were not applicable.</p> <p>Based on the review of policies, review of staff dismissals, interviews and analysis, the facility is compliant with all provisions of this standard.</p>

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART 3. TDOC Index 115.01 Standards for Volunteers and Coordination of Community Involvement 4. Interview with: <ol style="list-style-type: none"> a. Warden <p>115.77(a), (b) TDOC Index 502.06.2 states any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies and if found to have engaged in sexual abuse or sexual harassment of an inmate shall be prohibited from further contact with any inmate. TDOC Index 115.01 states if after investigation it is necessary to limit the services of a volunteer, the approving authority shall notify the volunteer in writing of such action. The approving authority may restrict a volunteer to entering only the assigned TDOC location which shall be designated as the volunteer's primary site. The approving authority may terminate the services of a volunteer, and termination shall apply to all institutions.</p> <p>An interview with the Warden indicated any allegation against a contractor and/or volunteer would result in prohibiting that individual from entering the facility during the investigation and if the allegation was substantiated their services would be immediately terminated, notification would be reported to the Central Office and/or contracting agency and the individual immediately be ban from entry into all TDOC facilities.</p> <p>Per the PAQ and review of the investigative case files, one contract staff was identified in a staff on inmate substantiated sexual abuse investigation. The investigation did not include sexual penetration but did identify the numerous prohibited acts to include kissing and hugging. The contract staff member was immediately banned from RMSI and all other TDOC facilities. Criminal charges were not pursued as the inmate stated he would not cooperate with the investigation and would provide false statements if criminal charges were pursued. The contractor was not referred to her relevant licensing body.</p> <p>Based on the review of policies, investigative case files, and interview with the Warden, the facility is compliant with all provisions of this standard.</p>

115.78	Disciplinary sanctions for inmates
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1062 376">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1214 875" style="list-style-type: none"> <li data-bbox="256 412 959 448">1. RMSI Completed Pre-Audit Questionnaire (PAQ) <li data-bbox="256 483 1214 519">2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART <li data-bbox="256 555 520 591">3. Interviews with: <ol data-bbox="256 627 999 875" style="list-style-type: none"> <li data-bbox="256 627 403 663">a. Warden <li data-bbox="256 698 847 734">b. RMSI PREA Compliance Manager (PCM) <li data-bbox="256 770 999 806">c. OIC Special Agent and OIC Institution Investigator <li data-bbox="256 842 724 878">d. Behavior Health Administrator <p data-bbox="256 911 1477 1406">115.78(a) TDOC Index 502.06 states, “Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. The PAQ identified zero administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility and zero criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility during the 12-month review period. However, these numbers were identified as incorrect. Specifically, there were two (2) inmate-on-inmate substantiated sexual abuse cases in the past 12 months of the audit review period. One substantiated sexual abuse case was declined by the Assistant District Attorney and the remaining case was identified as pending criminal charges for murder.</p> <p data-bbox="256 1442 1461 1982">115.78(b) & (c) TDOC Index 502.06.2 states that sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate’s disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. The discipline process shall consider whether an inmate’s behavior disabilities or behavioral illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. Per an interview with the Warden, he indicated sanctions for disciplinary action would be as noted in this provision. Originally, discipline sanctions would be imposed prior to the inmate’s criminal appearance. Five (5) inmates identified as aggressors in a substantiated sexual abuse investigation were identified as receiving disciplinary sanctions for violation of the following: Assault on an offender with a weapon; and Participation in a security threat group activity. An inmate identified as the aggressor in a sexual assault and murder of his cellmate remained pending criminal prosecution.</p> <p data-bbox="256 2018 1425 2054">115.78(d) TDOC Index 502.06.2 states, If the facility offers therapy, counseling, or</p>

other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. Per an interview with the Behavior Health Administrator, staff within the department have received specific training to offer treatment through counseling sessions however due to confidentiality, the sessions are provided during one-on-one sessions.

115.78(e) TDOC Index 502.06.2 states an inmate may be disciplined for sexual contact with staff only upon finding that the staff member did not consent to such contact. The auditing team reviewed 25 PREA investigations that included one substantiated staff on inmate sexual abuse (contractor). The contractor was removed and banned from entry into all TDOC facilities. The investigation did not include disciplinary sanctions for the inmate victim.

115.78(f) TDOC Index 502.06.2 states, "For the purpose of disciplinary action, a report sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting and incident or lying, even if the investigation does not establish evidence sufficient to substantiate the allegation." There were 23 unfounded staff on inmate sexual harassment investigative findings; four unfounded staff on inmate sexual abuse investigative findings; seven (7) unfounded inmates on inmate sexual harassment investigative findings; and one unfounded inmate on inmate sexual abuse investigative finding. There were zero circumstances in which the alleged victim received disciplinary action in accordance with this provision.

115.78(g) TDOC Index 502.06.2 states, "Any prohibition on inmate-on-inmate sexual activity shall not consider consensual sexual activity to constitute sexual abuse." Per interview with the Warden, the facility does not consider consensual sexual activity between inmates to be sexual abuse. In the past 12 months of the review period there was one incident in which the initial notification of inmates involved in sexual activity was reported as sexual abuse. However, during the investigative process, both inmates admitted to a consensual relationship, and the investigative findings were determined as unfounded.

Based on a review of policies, investigative case files, interviews and analysis, the facility is compliant with all provisions of this standard.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims 3. PREA Mental Health Referrals 4. Interviews with: <ol style="list-style-type: none"> a. Staff Who Conduct Risk Screening b. Medical and Behavioral Health Staff c. Inmate who disclosed prior victimization during PREA Screening <p>115.81 (a) (b) (c) TDOC Index 502.06.3 states that, "If the screening process indicates that an inmate has experienced prior sexual victimization or has perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a referral to a medical and/or behavioral health provider within 14 days of the screening. TDOC Index 113.84 states that each mental health appraisal conducted as part of the initial classification or reclassification process shall be documented on Mental Health Intake Appraisal, CR-3772. The PAQ indicated that 100% of inmates that reported prior sexual victimization were offered a follow-up meeting with a mental health provider. Per an interview with staff who conduct risk screening, all inmates identified during the intake screening and/or follow-up assessment as prior victimization and/or prior aggressiveness are referred to mental health and normally seen within 7 days of the referral. The referrals are documented and forward to mental health. The referring staff member conducts a follow-up and document notes of the referral and the completed mental health evaluation. The facility identified five (5) inmates reported to the facility during the 12-month review period. The auditor elected each of the five (5) inmate files for confirmation of timely completed mental health referrals. The review confirmed the inmates were seen by mental health as soon as the day of made referral and/or not later than five days of the made referral. Interviews with Behavior Health staff and the review of documented referral confirmed the inmates were seen by Behavior Health staff within 7 days after the referral was made. The date of the completed referral is documented in E-TOMIS. An interview with an inmate who reported prior sexual victimization during risk assessment, confirmed he was seen by mental health within a couple of days of arrival at RMSI.</p> <p>Per the PAQ and interview with the RMSI seven (7) inmates reported to have previously perpetrated sexual abuse during risk screening within the review period.</p>

Documentation noted as the inmates were identified as accepting mental health assistance, and/or refusing the service not later than seven days of the submitted referral.

115.81(c) RMSI is not a jail.

115.81(d) TDOC Index 502.06.3 indicates that any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and behavioral health practitioners and other staff, as necessary, to make informed treatment plans and security and management decisions, including housing, bed, work, education, and programs assignments, or as otherwise required by Federal, State, or local law. Per interview with staff who conduct risk screening indicated the specific details related to sexual victimization or abusiveness is strictly limited. Staff have access to the identification of victims and abusers as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments.

115.81(e) TDOC Index 502.06.3 states that Medical and Behavioral Health providers shall obtain informed consent from inmates before reporting about prior sexual victimization that did not occur in the institutional setting. Additionally, interviews with both medical and mental health staff verified that staff do obtain informed consent from inmates before reporting any knowledge or suspicion of sexual abuse. The facility does not house inmates under the age of 18 years.

Based on a review of policies, mental health referrals and timely completion, interviews and analysis, the facility is compliant with all provisions of this standard.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims 3. PREA Investigative Case Files/Medical & Mental Health Documentation 4. Interviews with: <ol style="list-style-type: none"> a. Medical Staff/ Behavior Health Staff b. Security 1st Responder c. Inmates Who Reported Sexual Abuse <p>115.82(a) TDOC Index 502.06.3 states victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and behavioral health providers, according to their professional judgment. Interviews were conducted with the medical and mental health supervisors. Each indicated victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. Once the report is received, the inmate would be seen immediately as medical staff is on duty 24 /7. Mental health staff are scheduled during normal business hours Monday – Friday, however, on-call providers are scheduled 24/7 and respond as needed. Following any report by an inmate concerning sexual assault, the inmate will be brought to medical for an examination to address any immediate medical needs such as first aide type, ice bandages etc., necessary to stabilize the inmate prior to and during transfer to a facility for forensic examination as applicable. The inmate would receive continued medical treatment as needed upon the inmate’s return from the outside hospital. They also verified that the nature and scope of the treatment and crisis intervention services are determined by their professional judgment, medical protocol, and mental health recommendations. The victim would receive follow-up services as needed but not less than 30, 60 and 90 days for medical services and continued counseling and therapy from mental health staff. A pharmacy at the facility assists in providing access to the continuation of medication needs. There were three substantiated sexual abuse investigative findings. Interviews were conducted with three (3) inmates who reported sexual abuse, and all stated they were provided immediate services by medical and by mental health within three days of the reported allegation. However, one investigation did not identify sexual activity, the remaining two (2) identified penetration by objects other than human body parts. One inmate victim refused medical treatment. However, he did attend a session with mental health two days</p>

after the substantiated sexual abuse investigation. A second inmate received immediate medical treatment at the facility and was transported to a local hospital for a forensic examination. He received mental health services the following day of the reported assault. Documentation of medical and mental health services was provided for review of confirmation as applicable to include the collection of testing for HIV, RPR, ETOH Level, DNA, Hepatitis B, and rectal swabs.

115.82(b) TDOC Index 502.06.3 states, "If no qualified medical staff are on duty at the time of a report of a recent abuse, a correctional officer trained to render first aid may help as needed." Medical staff are on duty 24/7 at RMSI and medical services are provided as needed in addition to accessible 24/7 mental health staff. All staff selected for interviews was aware medical staff would be notified of the reported PREA allegations, however their duty was to report directly to their supervisor. Their description of actions taken included notifying the Shift Commander and medical staff while keeping the victim safe and separated from the abuser. An interview with staff who served as a first responder, indicated the inmate victim was alone and the aggressors had departed the area when the incident was reported. He immediately reported the reported allegation to his supervisor who took charge of the situation.

115.82(c) TDOC Index 502.06.3 indicates that inmate victims of sexual abuse, while incarcerated, shall be offered test for sexually transmitted infections and sexually transmitted infections prophylaxis in accordance with professionally accepted standards of care and as medically appropriate. Per the Medical Health Supervisor, an inmate of sexual abuse would be offered testing for sexually transmitted infections to include HIV, STD and Hepatitis to include follow up testing through lab work and medication as needed. One inmate received a forensic examination at the local hospital. Medical documentation supported the inmate received testing for HIV, RPR, ETOH Level, DNA, and Hepatitis B. There were zero sexual abuse allegations that included sexual abuse that included male genital penetration. An interview conducted with the victim of a substantiated sexual abuse finding, indicated he was provided immediately medical care upon reporting the assault in which he reported his aggressors inserted a plastic bottle in his rectum. He continued by stating he was transferred to the local hospital where a forensic examination was completed. RMSI is a male facility only and contraception is applicable.

115.82(d) TDOC Index 502.06.3 indicates that treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with the investigation. Interviews with medical staff and mental health verified all services would be provided at no cost to the inmate population regardless if they cooperate with an investigation.

Based on the review of policies, documentation, interviews and analysis, the facility meets the mandate of all standard provisions.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06.03 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims 3. Interviews with: <ol style="list-style-type: none"> a. Medical and Behavioral Health Staff b. Inmate Who Reported Sexual Abuse <p>115.83(a) TDOC Index 502.06.3 addresses the requirements of this standard. If the screening process indicates that an inmate has experienced prior sexual victimization, or has perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a referral to a medical and/or behavioral health provider within 7 days of the screening. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.</p> <p>115.83(b) TDOC Index 502.06.3 indicates that the evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans and when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody. TDOC facilities offer follow-up services within the correctional facilities. In an interview with medical and mental health staff, continued care would be provided to an inmate victim of sexual abuse. The Re-Entry Specialist for each department would arrange services in preparation of the inmate's released from TDOC. The inmate would receive medication for 30 days upon release and would receive an information card with the contact information to the Nurses' Hotline number for the continuation of 90 days medical services. The mental health case manager would meet with the inmate prior to departure and provide available supportive counseling services within the inmate's community. An interview an inmate who received a forensic examination after reporting sexual abuse indicated he did not request additional medical treatment but have continued with mental health counseling on occasions after reporting the assault.</p> <p>115.83(c) Interviews with the Health Services Administrator, and Behavioral Health Administrator indicated the level of care provided to the inmate population is nothing less than equal to the level of care within the community.</p>

115.83(d) & (e) RMSI houses male inmates. These provisions are not applicable.

115.83(f) TDOC 502.06.3 states that inmate victims of sexual abuse, while incarcerated, shall be offered tests for sexually transmitted infections and sexually transmitted infections prophylaxis in accordance with professionally accepted standards of care. Per the Health Services Administrator, victims of sexual abuse have access to these services with a follow-up every 30, 60 and 90 days. A review of the investigative cases identified the inmate was provided testing for HIV, RPR, ETOH Level, and Hepatitis B, however the allegation did not report male genital penetration (object only).

115.83(g) TDOC Index 502.06.3 states treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Per the Health Services Administrator, and Behavioral Health Administrator, the victim would not incur any financial cost for treatment services. Per interviews with inmates who reported sexual abuse, none encountered the responsibility of medical and/or mental health cost.

115.83(h) TDOC Index 502.06.3 states that all facilities shall attempt to conduct a behavioral health evaluation of all known inmate-on-inmate abusers within 14 days of learning of such abuse history. They shall be offered treatment when deemed appropriate by behavioral health providers. In interview with staff who perform risk screening for victimization or abusiveness, inmates disclosing prior sexual abusiveness, as well as inmates who disclose prior sexual victimization, in addition to inmates identified in substantiated sexual abuse investigations are offered a referral to Behavioral Health. Per the Behavioral Health Administrator, if an inmate is identified as an aggressor through an investigation, updated evaluations would be conducted within 7 days of the referrals.

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

115.86	Sexual abuse incident reviews
	<p data-bbox="256 188 983 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 297">Auditor Discussion</p> <p data-bbox="256 340 1062 374">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1214 875" style="list-style-type: none"> <li data-bbox="256 412 959 445">1. RMSI Completed Pre-Audit Questionnaire (PAQ) <li data-bbox="256 483 1214 517">2. TDOC Index 502.06.2 PREA Allegations, Investigations, and SART <li data-bbox="256 555 927 589">3. TDOC Sexual Abuse Incident Review Reports <li data-bbox="256 627 520 660">4. Interviews with: <ol data-bbox="256 698 727 875" style="list-style-type: none"> <li data-bbox="256 698 403 732">a. Warden <li data-bbox="256 770 437 804">b. RMSI PCM <li data-bbox="256 842 727 875">c. Incident Review Team Member <p data-bbox="256 913 1469 1532">115.86(a)(b)(c) TDOC 502.06.2 states, "That the facility shall conduct a Sexual Abuse Incident Review Report, CR-3985, at the conclusion of every sexual abuse investigation, including investigations in which the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Such reviews shall ordinarily occur within 30 days of the conclusion of the investigation. The review team shall include the Warden/Superintendent/designee, Associate Warden of Treatment/Deputy Superintendent/Assistant Warden at privately managed facilities, facility and OIC Institution Investigator, line supervisor, and medical/mental health professionals. These individuals are members of the Sexual Abuse Response Team (SART) and were identified by the Warden. The auditor reviewed the three (3) Substantiated and one (1) Unsubstantiated sexual abuse/sexual misconduct investigative cases. A Sexual Assault Incident Review was conducted following the conclusion of each investigation within 30-days of completion. The reviews were thorough and followed the requirements of the standard provisions. The Warden indicated all completed incident reviews are forward to him for review.</p> <p data-bbox="256 1570 1477 2067">115.86(d) TDOC 502.06.2 requires that the team consider if the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status, gang affiliation, or other group dynamics at the facility, that the team examine the area in the facility where the incident allegedly occurred to determine if there are physical plan issues that may have contributed to the incident and assess staffing levels in the area and whether monitoring technology should be deployed or augmented to supplement supervision by staff in these areas. The team is required to prepare a report of findings for the Warden that identifies problem areas, necessary corrective action, and recommendations for improvement. Per an interview with the Warden, the incident review team takes into consideration what could have been done differently to prevent any acts of sexual abuse. The review also serves as a fact finding on better</p>

practices and procedures followed and or not adhered to within policy, additional training needed, policy violations, and/or the requirement for a change in policy. The RMSI PCM indicated as the facility PCM she is a member of the SART. She and all other members of SART serve are members of the incident review committee. SART meetings are held monthly. The committee utilizes the agency's' incident review form to identify and review for possible corrections in how, why and what could have prevented the sexual abuse reported, while recommendation is made as identified by the committee and forward to the Warden for review. The auditor reviewed the four (4) incident reviews completed by members of the Sexual Abuse Response Team contained the required information as described within the standard provision. The committee made recommendations for increased security monitoring by supervisory staff and additional security measures. One sexual abuse incident was identified gang related.

115.86(e) TDOC Index 502.06.2 indicates that the facility shall implement the recommendations for improvement or shall document the reason for not doing so. A copy of the incident review is scanned and electronically forwarded to the PREA Correctional Program Director II for review.

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

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.87(e) TDOC Index 502.06 states, “The TDOC PREA Coordinator shall ensure that data collected is securely retained. TDOC shall make all aggregated sexual abuse data, from TDOC facilities and private facilities with which it contracts, readily available to the public at least annually through the TDOC website. Copies of the Substantiated PREA allegations reports that contain PREA allegations for each TDOC and each of the four privately contracted facilities were submitted for review. Per the PREA Correction al Program Director III/TDOC PREA Coordinator, in addition to the contract monitor assigned at each privately operated contract facility, he also monitors the reported PREA allegations at each.</p>

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06 PREA Implementation, Education, and Compliance 3. Agency website 4. 2021-2022 Annual PREA Report 5. Interviews with: <ol style="list-style-type: none"> a. PREA Correctional Program Director II b. TDOC Agency Head Designee <p>115.88(a-d) TDOC Index 502.06 addresses the requirement of this standard. The Directive indicates that TDOC staff shall aggregate the incident based sexual abuse data annually. Maintain review and collect data as needed from all available incident-based documents, including reports, investigative files, and sexual abuse incident reviews. Ensure that all aggregated sexual abuse data is included in an annual report that includes an assessment of the Department’s sexual abuse prevention, detection, and response policies, practices, and training; If applicable, identifies Departmentwide problem areas or problems within specific correctional facilities; Is used to facilitate corrective action at the Department and correctional facility levels; compares the current calendar year’s data and activities with that available from previous years; Assesses the Department’s progress in addressing sexual abuse; and is approved by the Commissioner and made readily available to the public through the Department’s website. Personal identifiers shall be removed prior to the data being made publicly available. Per interviews with the Agency Head Designee and PREA Correctional Program Director II, section of the report identifies corrective actions taken. The SART conducts monthly walk-throughs within the facility while identifying and submitting any work orders that are required to be completed by the following monthly walk-through of not less than 30 - days. The Commissioner receives a monthly report of all allegations reported at each TDOC facility.</p> <p>Per the Agency Head Designee, TDOC use the incident-based sexual abuse data to assess and impro sexual abuse prevention, detection and response policies, practices, and training in the following manners. All incidents are reported and investigated, trends are identified (i.e. regarding the time, location, staff involved etc.) As the trends are identified, processes and policies are refined to ensure the adequate addressing of any issues found. If there is a deficiency noted that can be correct with additional training, it is arranged. If there is an issue that needs to be clarified, a memorandum of instruction is issued. The retaliation monitoring conducted for</p>

victims, and staff reporter was born out of trends observed. The PREA Correctional Program Director II confirmed he prepares an annual report

that is submitted to the Commissioner for review. Upon the review and approval by the Commissioner, the annual report is then posted on the TDOC's website for review by the public. The auditor reviewed the website at <https://www.tn.gov/correction/sp/prison-rapeelimination-act.html> and verified the 2021 - 2022 Annual Report was signed by the Commissioner and published. A review of the report indicated a comparison of 2020-2021 and 2021 - 2022. The report was dated October 6, 2022, and signed by the TDOC Interim Commissioner. The report is identified as professionally written and addresses the requirement of each standard provision.

Based on a review of policy, TDOC's website, agency's annual PREA reports, interviews with the TDOC Agency Head Designee and PREA Correctional Program Director II, the agency meets the mandate of all standard provisions.

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. RMSI Completed Pre-Audit Questionnaire (PAQ) 2. TDOC Index 502.06 PREA Implementation, Education, and Compliance 3. Agency website 4. 2021-2022 Annual PREA Report 5. Review of Contract Facilities Reported PREA Data 6. Interview with: <ol style="list-style-type: none"> a. TDOC PREA Coordinator <p>115.89 (a-d) TDOC Index 502.06 addresses the requirements of this standard. The directive indicates the TDOC PREA Coordinator shall ensure that data collected is securely retained. The TDOC is responsible for completing an annual report and when approved by the Commissioner it is made available to the public through the Department's public website. The report should redact information that would present a clear and specific threat to the safety and security of a prison before publication indicating the nature of the redacted information and related personal identifiers shall be removed prior to being made public. Securely maintain incident-based and aggregate data ensuring only authorized personnel have access to the information. The TDOC PREA Coordinator shall maintain sexual abuse data for at least 10 years after the date of the initial collection. Per an interview with the TDOC PREA Coordinator, he indicated data is securely maintained for a minimum of 10 years within an agency restricted computerized system and only authorized personnel have access. The auditor</p> <p>reviewed the agency website at https://www.tn.gov/correction/sp/prison-rapeelimination-act.html verified the 2021-2022 Annual Report was published. A review of the annual reports indicated there were no personal identifiers included.</p> <p>Based on the review of policy, website, annual report, interview with PREA Correctional Program Director II and analysis, RMSI meets all mandate of the standard provisions.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>TDOC Index 502.06 PREA Implementation, Education, and Compliance was reviewed and meets the requirements of this standard. The directive requires the PREA Coordinator to ensure that Department PREA-related activities comply with federal PREA standards in the following areas, Audits, and Auditing and corrective action. This was the first audit of the fourth quarter and the fourth PREA audit for Riverbend Maximum Security Institution. The Agency oversees 11 facilities and the PREA audits for each of these facilities were posted on the agency’s website for the previous audit cycles. The auditor received all requested documentation throughout the pre-audit, on-site visit, and post audit phases that included a sufficient sampling based on the size of the facility of case records, training records, investigative reports, additional program information and documents to support a conclusion of compliance with each PREA standard. An excess of the required number of staff and inmates were interviewed, and all were knowledgeable regarding PREA education and how to report. The auditor was granted access to tour and visit all areas of the facility. Inmates confirmed their observation of the notice of the audit posted throughout the institution that included the lead auditor’s name and mailing address to submit confidential correspondence. Per an interview with mailroom staff, inmates are allowed to forward confidential correspondence to the auditor in the same manner as mail addressed to a legal counselor. However, the auditor did not receive any correspondence from staff and/or the inmate population.</p> <p>Based on the above, the facility has demonstrated substantial compliance with all provisions of this standard.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Per TDOC directives and standard requirements, TDOC ensures all final reports will be published on their websites to be available to the public. A review of the TDOC website at www.tn.gov/correction/sp/prisonrape-elimination-act.html contained the final previous PREA reports completed for the 11 correctional facilities operated by TDOC and the four correctional facilities contracted out by TDOC. Final reports were published on the agency website within 90 days of issuance to include those facilities that are contracted by the TDOC.</p> <p>Based on the review of the TDOC Agency's website, and confirmation of the identified four contract facilities, TDOC has demonstrated compliance with this standard.</p>

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

115.12 (b)	Contracting with other entities for the confinement of inmates	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes

115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need	yes

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

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

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

115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes

115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes

115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes

115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes

115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes

115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	na
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes

115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes
115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes

115.33 (a) Inmate education		
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b) Inmate education		
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c) Inmate education		
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes
115.33 (d) Inmate education		
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes

115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
115.33 (f)	Inmate education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes
115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	yes

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

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

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

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

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

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

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

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes

115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes

115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	na
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes

115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes

115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes

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

115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes

115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes

115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes

115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	na
115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	na

115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes

115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes

115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes

115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	yes
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	na
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes

115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes

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

115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	yes
115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes

115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes

115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes

115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

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

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