

PREA Facility Audit Report: Final

Name of Facility: West Tennessee State Penitentiary

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 06/20/2025

Auditor Certification

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



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



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



Auditor Full Name as Signed: Darren L. Bryant

Date of Signature: 06/20/2025

AUDITOR INFORMATION

Auditor name: Bryant, Darren

Email: dbryant357@msn.com

Start Date of On-Site Audit: 04/30/2025

End Date of On-Site Audit: 05/02/2025

FACILITY INFORMATION

Facility name: West Tennessee State Penitentiary

Facility physical address: 480 Green Chapel Road, Henning, Tennessee - 38041-1150

Facility mailing address:

Primary Contact

Name:	TODD BUCHANAN
Email Address:	todd.b.buchanan@tn.gov
Telephone Number:	731-738-1642

Warden/Jail Administrator/Sheriff/Director

Name:	JOHNNY FITZ
Email Address:	Johnny.Y.Fitz@tn.gov
Telephone Number:	731-738-1631

Facility PREA Compliance Manager

Name:	Jessica Wilson
Email Address:	jessica.r.wilson@tn.gov
Telephone Number:	731-738-1642
Name:	Todd Buchanan
Email Address:	todd.b.buchanan@tn.gov
Telephone Number:	731-738-1642
Name:	Tina Johnson York
Email Address:	tina.s.johnson-york@tn.gov
Telephone Number:	(731) 738-1643

Facility Health Service Administrator On-site

Name:	ALISHA HURDLE
Email Address:	AHURDLE@TEAMCENTURION.COM
Telephone Number:	731-738-1804

Facility Characteristics

Designed facility capacity:	1082
Current population of facility:	865
Average daily population for the past 12 months:	848
Has the facility been over capacity at any point in the past 12 months?	No
What is the facility's population designation?	Men/boys
In the past 12 months, which population(s) has the facility held? Select all that apply (Nonbinary describes a person who does not identify exclusively as a boy/man or a girl/woman. Some people also use this term to describe their gender expression. For definitions of "intersex" and "transgender," please see https://www.prearesourcecenter.org/standard/115-5)	
Age range of population:	18-78
Facility security levels/inmate custody levels:	minimum trustee to maximum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	507
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	24
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	87

AGENCY INFORMATION

Name of agency:	Tennessee Department of Correction
Governing authority	Not Applicable

or parent agency (if applicable):	
Physical Address:	320 Sixth Avenue North, Nashville, Tennessee - 37243
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:	
Name:	Frank Strada
Email Address:	Frank.Strada@TN.GOV
Telephone Number:	

Agency-Wide PREA Coordinator Information			
Name:	Elizabeth Stout	Email Address:	liz.e.stout@tn.gov

Facility AUDIT FINDINGS	
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:	
0	
Number of standards met:	
45	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2025-04-30
2. End date of the onsite portion of the audit:	2025-05-02

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:	Shelby County Crime Victims & Rape Crisis Center

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	1082
15. Average daily population for the past 12 months:	848
16. Number of inmate/resident/detainee housing units:	21
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

18. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	836
19. 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
20. 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:	0
21. 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:	20
22. 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:	11
23. 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:	1
24. 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:	1

25. 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:	3
26. 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:	5
27. 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:	5
28. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0
29. 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):	No text provided.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
30. 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:	507
31. 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:	87

32. 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:	24
33. 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:	No text provided.
INTERVIEWS	
Inmate/Resident/Detainee Interviews	
Random Inmate/Resident/Detainee Interviews	
34. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	23
35. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<div> <input checked="" type="checkbox"/> Age </div> <div> <input checked="" type="checkbox"/> Race </div> <div> <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) </div> <div> <input checked="" type="checkbox"/> Length of time in the facility </div> <div> <input checked="" type="checkbox"/> Housing assignment </div> <div> <input checked="" type="checkbox"/> Gender </div> <div> <input type="checkbox"/> Other </div> <div> <input type="checkbox"/> None </div>
36. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	Auditor interviewed inmates from each housing unit.
37. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<div> <input checked="" type="radio"/> Yes </div> <div> <input type="radio"/> No </div>

38. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
39. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	23
<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>	
40. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	1
41. 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:	0

41. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<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. <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
41. 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).	Auditor verified this information with Associate Warden / Facility PREA Coordinator and Facility PREA Compliance Manager.
42. 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:	2
43. 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:	3
44. 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:	3
45. 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:	2

46. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:	3
47. 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:	5
48. 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:	5
49. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:	0
49. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<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>

49. 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).	I interviewed Warden, Associate Warden / Facility PREA Coordinator and Segregated Housing Supervisor during Audit. All three staff members informed the auditors of no inmates being placed in Segregated Housing for protection against sexual abuse. Auditors' walkthrough of the facility confirmed the above.
50. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	No text provided.
Staff, Volunteer, and Contractor Interviews	
Random Staff Interviews	
51. Enter the total number of RANDOM STAFF who were interviewed:	23
52. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<div> <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 </div>
53. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<div> <input checked="" type="radio"/> Yes <input type="radio"/> No </div>
54. 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.

55. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):

23

56. Were you able to interview the Agency Head?

☒ Yes

☐ No

57. Were you able to interview the Warden/Facility Director/Superintendent or their designee?

☒ Yes

☐ No

58. Were you able to interview the PREA Coordinator?

☒ Yes

☐ No

59. Were you able to interview the PREA Compliance Manager?

☒ Yes

☐ No

☐ NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

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

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

	<input type="checkbox"/> Other
61. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
61. Enter the total number of VOLUNTEERS who were interviewed:	2
61. 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
62. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
62. Enter the total number of CONTRACTORS who were interviewed:	2
62. 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 checked="" type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
63. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

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

☒ Yes

☐ No

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

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

☒ Yes

☐ No

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

☒ Yes

☐ No

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

☒ Yes

☐ No

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

☒ Yes

☐ No

69. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).	No text provided.
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Documentation Sampling

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

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

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

72. 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	2	0	2	2
Staff-on-inmate sexual abuse	1	0	1	1
Total	3	0	3	3

73. 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	15	0	15	15
Staff-on-inmate sexual harassment	2	0	2	2
Total	17	0	17	17

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.

74. 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	2	0	0	0	0
Staff-on-inmate sexual abuse	1	1	1	0	0
Total	3	1	1	0	0

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	1	1	0	0
Staff-on-inmate sexual abuse	0	0	0	1
Total	1	1	0	1

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.

76. 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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	14	2	1
Staff-on-inmate sexual harassment	0	2	0	0
Total	0	16	2	1

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

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

3

79. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)
Inmate-on-inmate sexual abuse investigation files	
80. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	3
81. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE 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 inmate-on-inmate sexual abuse investigation files)
82. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
Staff-on-inmate sexual abuse investigation files	
83. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	1
84. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE 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 abuse investigation files)

85. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE 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 abuse investigation files)
Sexual Harassment Investigation Files Selected for Review	
86. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	17
87. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)
Inmate-on-inmate sexual harassment investigation files	
88. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	15
89. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT 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 inmate-on-inmate sexual harassment investigation files)
90. Did your sample of INMATE-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 inmate-on-inmate sexual harassment investigation files)

Staff-on-inmate sexual harassment investigation files

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

2

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

☒ Yes

☐ No

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

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

☒ Yes

☐ No

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

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

No text provided.

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

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

☒ Yes

☐ No

95. Enter the TOTAL NUMBER OF DOJ-CERTIFIED PREA AUDITORS who provided assistance at any point during this audit:

1

Non-certified Support Staff

96. 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

97. Who paid you to conduct this audit?

☐ The audited facility or its parent agency

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

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

☐ Other

Identify the name of the third-party auditing entity

3D PREA Auditng

Standards	
Auditor Overall Determination Definitions	
<ul style="list-style-type: none"> 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	
<p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>	

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following policies and documentation to determine compliance:</p> <ul style="list-style-type: none"> West Tennessee State Penitentiary (WTSP) Completed Pre-Audit Questionnaire (PAQ) Tennessee Department of Corrections (TDOC) Index 502.06.2 PREA Allegations, Investigations, and SART (Sexual Abuse Response Teams) TDOC Index 502.06 PREA Implementation, Education and Compliance WTSP Organizational Chart and TDOC Organization Chart WTSP Index 502.06.2-1 PREA Allegations, Investigations, and SART <p>115.11(a) The above policies mandate zero tolerance toward all forms of sexual abuse and sexual harassment. The above policies outline procedures and expectations related to TDOC approach to preventing, detecting and responding to sexual abuse and sexual harassment. It is developed in compliance with the PREA</p>

standards for adult prisons and jails and includes of prohibited behaviors regarding sexual assault and sexual harassment for staff and inmates. The above policies show the agency and facility have a comprehensive written policy that mandates zero tolerance toward all types of sexual abuse and sexual harassment.

In addition to TDOC Index 502.06 PREA Implementation, Education and Compliance. The Department also developed TDOC Index 502.06.2 PREA Allegations, Investigations, and SART Sexual Abuse Response Teams (SART). The 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 the persons involved. The policies includes definitions pertaining to PREA, and procedures after receiving an allegation of PREA; multiple methods for inmate reporting, responsibilities of First Responders; SART Response; SART Investigations; Sexual Abuse Incident Review; monitoring for retaliation; administrative investigations; criminal investigations; reporting the status of allegations to inmates; disciplinary sanctions for inmates; sanctions for contractor and volunteers; and allegations occurring in other correction settings.

Any staff member who is found to have perpetrated sexual abuse or sexual harassment will be discipline in accordance with agency Employee Discipline and subject to employment termination in addition to subject to criminal prosecution as applicable. There two employees who violated the above policies have been terminated and pending jury indictments for sexual abuse.

Any inmate, detainee or resident who is found to have perpetrated sexual abuse or sexual harassment will be discipline as outlined in TDOC policy and subjected to criminal prosecution as applicable.

TDOC 502.06 indicates that 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, Statewide PREA Coordinator, and Director of Decision Support: Research and Planning for review.

WTSP 502.06.2-1 was developed to establish standardized procedures in the reporting and investigations of all PREA allegations and role of the Sexual Abuse Response Team (SART). The Head of Agency Designee, State-wide PREA Coordinator and WTSP PCM 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 review security equipment and submit recommendations for mirrors and video placement that would serves as a level protection for inmates from sexual

assault or sexual abuse during the monthly walk through. Monthly SART inspections for each of the 12-month review periods were submitted. PREA unannounced rounds were documented, review of completed PREA investigations were included, areas of the facility toured and by whom it was documented, and findings were noted within the reports. A work order is submitted as needed and is required to be completed within 30 days of submission. Designated members of the SART serve as the victim advocate and all members of the SART participate in conducting Incident Reviews within 30 days of the completed PREA investigations to include sexual harassment and sexual abuse. Documented observation of compliance and/or non-compliance to include corrective measures taken of standards 115.11 through 115.86 was confirmed.

115.11(b) The agency has designated a State-wide PREA Coordinator with the Office of the Inspector General, who is assigned the duties of overseeing the agency's efforts regarding PREA in all its facilities. The agency's organizational chart shows the State-wide PREA Coordinator reports directly to the Director Compliance with the Office of the Inspector General.

An interview with the TDOC State-wide PREA Coordinator indicated he has sufficient time to manage all PREA related responsibilities as required per his position as the PREA State-wide Coordinator. She added there are currently eleven PREA Compliance Managers while one is assigned to each TDOC facility. He maintains a continuous open line of communication and interaction through emails, text, phone calls, and monthly PREA conference calls. He continued in stating, if any issues arise that may jeopardize a facility's compliance with the PREA standards, she immediately contacts the affected facility to discuss what obstacles they are encountering and collectively apply corrective measures to ensure compliance. He identifies areas of concern and provides guidance and updates on policy and/or procedure changes.

115.11(c) The Associate Warden / Facility PREA Coordinator at each TDOC facility also serves as Facility PREA Coordinator Manager and reports directly to the Warden. All TDOC facilities also have an on-site PREA Compliance Manager (PCM) who works to ensure the facility's compliance with the DOJ PREA standards. The facility's organizational chart was provided for review that identified the WTSP PREA Compliance Manager position as a dedicated position who reports directly to the Warden. The facility's organizational chart was provided for review that identifies the WTSP PCM position as a dedicated position who reports directly to the Warden and currently holds the position of Administrative Clerk. The auditor interviewed WTSP PCM who confirmed she has sufficient time to perform her duties as the facility's PCM while overseeing the facility's efforts to comply with the PREA standards. She added she communicates with the WTSP PREA Coordinator and Warden to address any areas of concern, and the development of corrective measures as needed. He identified the duties of the monthly SART meetings and monthly walk throughs as a preventive measure in identifying and eliminating possible occurrences of sexual abuse and/or sexual harassment.

The auditor interviewed random staff and confirmed their knowledge of the Zero Tolerance policy. Staff indicated they receive their PREA training on the Zero Tolerance

	<p>Policy during Pre-Service Training and annually through in-service training.</p> <p>The auditor interviewed contractors and volunteers about receiving Zero Tolerance Training. Both groups receive their training during Pre- Service Training and during In Service Training annually.</p> <p>The auditor interviewed the following staff members to assist with determining compliance with the above standard:</p> <ul style="list-style-type: none"> • Random Staff • Associate Warden / Facility PREA Coordinator • WTSP PREA Compliance Manager • State PREA Coordinator • Volunteers & Contractors <p>Based on the review of TDOC policies, review of the assignment of the Agency PREA Coordinator, Associate Warden / Facility PREA Coordinator and PREA Compliance Manager, TDOC organizational chart and WTSP Chart, interviews with staff members, it is determined that this facility does meet all provisions of the standard.</p>
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115.12	Contracting with other entities for the confinement of inmates
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following policies and documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06 Administrative Policies and Procedures • TDOC Webpage listed private facilities showing PREA Audits • Agency Contract <p>The facility does not contract for confinement of inmates, but the Tennessee Department of Corrections does have several contracts for the confinement of inmates, and all are monitored by the Contract Monitoring Division within the Office of the Inspector General.</p> <p>TDOC Index 502.06 (page 7), states employees of privately managed facilities shall receive PREA training as part of the pre-service and in-service training requirements established by the contractor and approved by TDOC. The Director of Contracts Administration shall ensure that all new TDOC contracts or contract renewals include language requiring compliance with the PREA standards. TDOC has entered four contracts for the confinement of inmates with a private agency (Core Civic). The interview with the State-wide PREA Coordinator and the Contract Monitor indicated</p>

	<p>they communicate with the contracting agencies and address 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.</p> <p>The auditor interviewed the following staff members to assist with determining compliance with the above standard:</p> <ul style="list-style-type: none"> • State-wide PREA Coordinator • Agency Contract Monitor <p>The facility meets compliance with this standard, based on reviewed documentation and staff interviews.</p>
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115.13	Supervision and monitoring
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following policies and documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Policy Index 502.06 • WTSP Annual Staffing Review • Post Assignment Rosters • Logbooks documenting unannounced rounds. <p>115.13(a): In accordance with the Tennessee Department of Corrections Index 502.06, each facility shall develop a staffing pattern that provides for the adequate levels of staffing 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 115.13 (a), (b), and (c). This review shall be completed in the PREA Annual Staffing Review, CR-3964. The plan considers generally accepted detention and correctional practices through judicial findings of inadequacy, none are indicated; findings of inadequacy from Federal investigative agencies, non are indicated; findings of inadequacy from internal or external oversight bodies, all components of the facilities physical plant; composition of the inmate population; number and placement of supervisory staff; institution programs occurring on a particular shift; state or local laws, regulations, or standards; prevalence of substantiated or unsubstantiated incidents of sexual abuse.</p> <p>115.13(b): Facility reports that no posts were closed because of deviations from the staffing plan for the past 12 months; however, adjustments were made through</p>

callback and staff overtime to cover posts due to deviations required due to emergency incidents, callouts. These deviations and staffing adjustments were clearly documented on the daily shift rosters reviewed by the auditor. The most common reasons for roster deviations are staff shortages and emergency situations, for example snowstorms, and holidays.

115.13(c): The most recent staffing plan review was conducted by Associate Warden of Treatment, Tennessee Department of Corrections PREA Coordinator, and Warden in June 2024. The staffing review assessed, determined, and documented whether adjustments are needed to the staffing plan related to all elements from section (a) above. Consideration was given to the deployment of video monitoring systems and other monitoring technologies and resources the facility has available to ensure adherence to the staffing plan.

Interview with agency and Associate Warden of Treatment and Warden indicate this process is well-implemented. Most elements required of the review are conducted monthly by SART and documented in monthly minutes to the Warden. As confirmed through interviews, during the annual review these documents are considered as part of the review as well as the other elements stated in section (a) above. Based on interviews with the State PREA Coordinator, she is consulted when the facility assesses their staffing plan and notifies us when they need to make any adjustment; the staffing plan is reviewed on an annual basis unless the facility needs to make changes and then it will be reviewed before the changes are approved. The SART monthly inspection recommended additional cameras be placed in the classroom area in the industries building; recommendation was approved by Warden and cameras were installed. The facility has a total of 291 cameras installed throughout the facility.

115.13(d): Tennessee Department of Corrections Policy #502.06, directs staff, security shift corporal and above, unit managers, and/or administration duty officer to conduct and document unannounced rounds to identify and deter sexual abuse and sexual harassment. The unit/program area logbook shall be annotated with Unannounced PREA Inspection/Security Check when signing into the unit/program area. The policy requires this documentation to 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.

Interviews with Associate Warden of Treatment, Captains, Shift Lieutenants, and SART members indicated that irregular, frequent unannounced rounds are made in all areas of the facility and were able to articulate their methods and indicators for which they are observing to maintain a safe environment for all. Each person interviewed explained that they have no set tour pattern which prevents staff from alerting others of the rounds. Interviews with line staff and inmates indicate regular rounds are made during the workday, evenings, holidays, and weekends. Auditor requested, was provided, and reviewed logbook entries. Multiple rounds were documented by various intermediate and/or higher-level supervisors on these dates. Inmates stated they see higher level staff frequently and have access to speak with them should they need. The auditor reviewed logbook entries while onsite in the areas visited within the

	<p>facility and found regular and frequent documentation of PREA rounds.</p> <p>The auditor interviewed the following staff members to assist with determining compliance with the above standard:</p> <ul style="list-style-type: none"> • State PREA Auditor • Associate Warden of Treatment • Warden • Supervisors <p>The facility meets compliance with this standard, based on reviewed documentation and staff interviews.</p>
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115.14	Youthful inmates
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following policy and documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 506.14.2 Housing, Programming of Youth Inmates, Page 1, Roman Numeral IV, Definitions • Facility Walkthrough • Warden's Memo <p>IV DEFINITIONS:</p> <p>(A). Designated Facilities: For purposes of this policy only, the following facilities provide housing for juvenile offenders subsequent to classification: (males) Northwest Correctional Complex – Site #2 (NWCX), (females) Tennessee Prison for Women (TPFW), and Lois DeBerry Special Needs Facility (DSNF) for males with health or mental health concerns.</p> <p>(B). Juvenile Offenders: For the purpose of this policy only, juvenile offenders are persons between the ages of 16 and 18 who are sentenced and committed to the TDOC by a court having adult criminal jurisdiction.</p> <p>Auditors interviewed the following individuals to determine:</p> <ul style="list-style-type: none"> • Associate Warden • Warden • State PREA Coordinator <p>Based on an interview with the above staff members and policy, the West Tennessee</p>

	Detention Facility is an all-adult facility and does not house youthful offenders. No youthful offenders were observed during the site review. Therefore, this standard was found to be compliant with this facility during this audit.
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115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following policies and documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06 PREA Implementation, Education, Compliance • WTSP Index 112.08-1 Personal Hygiene Resources for Inmates • TDOC Index 506.06- 1 Searches • TDOC Index 113.37 Gender Dysphoria • TCA Lesson Plan- Personal Searches • Training Records <p>115.15(a): Tennessee Department of Corrections Policy #506.06 establishes approved methods for Tennessee Department of Corrections staff to search inmates. Female correctional officers may frisk search inmates of both genders; male correctional officers may frisk search only male inmates. Strip searches will only be conducted by staff members of the same gender. The facility reports no cross-gender strip or cross-gender visual body cavity searches of inmates in the past 12 months, with or without exigent circumstances. Interviews with Warden, Associate Warden, PREA Coordinator, various staff and inmates indicated no incidents of cross-gender strip or cross-gender visual body cavity searches at West Tennessee State Penitentiary.</p> <p>115.15(b) is not applicable because West Tennessee State Penitentiary is a male facility.</p> <p>115.15(c): Tennessee Department of Corrections Index 506.06 prohibits conducting of cross-gender strip searches and cross-gender visual body cavity searches. Strip/visual body cavity searches based on reasonable suspicion/probable cause require completion of Form CR-2156 to document the incident. Based on interviews, this practice is prohibited, therefore, there is no documentation to review.</p> <p>115.15(d): Tennessee Department of Corrections Index 112.08, Personal Hygiene Resources for Inmates, establishes policy that transgender and intersex inmates are afforded opportunity to shower separately from other inmates and requires development of local policies and procedures that enable inmates to shower, perform bodily function, and change clothing without non-medical staff of the opposite gender viewing breasts, genitalia, or buttocks. TDOC Policy Index 112.08 establishes</p>

procedures that showers are provided with doors to provide privacy yet maintain security and allows for transgender and intersex inmates to be given the opportunity to shower separately from other inmates. In addition, individual cells are designed to provide privacy in changing clothes and performing bodily functions without non-medical staff of the opposite gender viewing breast, genitalia, or buttocks except in exigent circumstances or when such viewing is incidental to routine cell checks.

Interviews with Warden, Facility PREA Coordinator/Associate Warden of Treatment, security and counseling staff, and inmates confirm that all inmates are allowed to shower in private.

During the walk-through of the facility housing units 1, 2, 3, 4, and 6 auditors observed only single person shower stalls which were equipped with either a door or a shower curtain for privacy. Single cell rooms in housing unit 6 are equipped with showers in each cell. Auditors observed window coverings are provided to inmates housed in individual cells in Unit 1, 2, and 6 to be used when changing clothes, using the restroom, or showering. During interviews inmates in all housing units indicated the ability to shower, perform bodily functions, and change clothing without staff of the opposite gender viewing their breasts, buttocks, or genitalia.

Auditors conducted Interviews with 46 inmates to include random targeted indicated they have not incurred incidents in where they considered their privacy was violated while changing clothes, subjected to visual searches, use of restroom and/or during showering by staff of the opposite gender.

Tennessee Department of Corrections Index 305.03 establishes the requirement for staff of the opposite gender to announce his/her presence when entering an inmate housing unit. Interviews with staff and inmates indicated that the practice for the opposite gender staff to announce presence is well-established at West Tennessee State Penitentiary. Auditor observed signs on doors of every housing unit stating "Opposite Gender Staff Must Announce Presence" as a reminder for staff to do so when entering the unit. The auditor observed staff making the announcement while on facility tour.

115.15(e): Tennessee Department of Corrections Index 502.06 directs that no inmate shall be searched solely for the purpose of determining gender status or condition, such as intersex, transgender. All certified staff receive training in Personal Searches, which includes instruction on prohibiting searches for purposes of determining an inmate's genital status. The Tennessee Department of Corrections Index 113.37, Page 8, Letter H, discusses the same topic. Staff and inmate interviews indicate this has not occurred at West Tennessee State Penitentiary. Interviews further indicated that staff are aware this practice is prohibited.

There were no inmates identified as intersex at the facility during the review period and/or site visit. However, the two inmates identified as transgender was interviewed. Both stated they have not incurred any concerns with being searched by the gender of her choice. They also stated there has not been any instances where it appeared the search was conducted solely for the purpose of determining their genital status.

	<p>115.15(f): Tennessee Department of Corrections Index 502.06 establishes the requirement for security staff to 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. Auditor reviewed training on Personal Searches and discussed how to conduct cross-gender pat down searches, searches of transgender and intersex inmates, all in a professional and respectful manner, and in the least intrusive manner possible. The lesson plan reminds staff through the lesson plan stress the importance of preserving the dignity of inmates through the search process.</p> <p>Searches are taught in basic training for all security staff. Refreshers are conducted each year at in-service and routinely shift briefings. In addition, training records were reviewed by the auditor for 25 security staff. Staff interviews confirmed training was conducted as stated and were able to demonstrate proper search protocols for the auditor. Inmate interviews indicated staff are respectful and professional when conducting different searches.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Associate Warden / Facility PREA Coordinator • Training Manager • Random Staff • Random Inmates • Targeted Inmates <p>The facility meets compliance with this standard, based on reviewed documentation and staff interviews.</p>
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115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following policies and documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06 PREA Implementation, Education, and Compliance • WTSP Rules and Regulations Handbook • Translation Services Documentation and Contact Notes (University of Tennessee) • WTSP Limited English Proficient Plan

115.16(a) Tennessee Department of Corrections (TDOC) policy 502.06 (page 5) indicates that the West Tennessee State Penitentiary takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, have an equal opportunity to participate in or benefit from all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. The agency assists those inmates who are blind or low vision, or have intellectual disabilities, psychiatric, or speech disabilities by assigning a designated staff member to assist them as it pertains to understanding PREA information/ education/training. For inmates that are blind, staff shall read all PREA material aloud to ensure complete understanding of the agency's policy, procedure, and inmate training as it pertains to PREA. Staff will also ensure those inmates with intellectual disabilities, psychiatric or speech disabilities understand the agency's policy, procedure, and inmate training as it pertains to PREA before being housed from Intake. PREA handouts, PREA postings, PREA education video, and the inmate handbook are provided in both English and Spanish. The facility has one TDD phone; it was tested for functionality by the auditor. There were four inmates with disabilities that were interviewed. The inmates and staff also confirmed that interpretive services are available when needed. The agency utilizes Language Line Services. The auditor interviewed 22 out of 22 random staff who were aware of the Language Line Services. The West Tennessee State Penitentiary has utilized the Language Line and staff interpreters. At the time of the on-site visit, the auditor utilized the Language Line to interview limited English proficient inmate, and a staff interpreter. The Associated Warden / Facility PREA Manager, Intake Screening and Unit Managers all confirmed this practice.

At orientation inmates are provided with a copy of the WTSP Rules and Regulations that covers the agency's zero-tolerance policy. The handbook addresses the if inmates have problems with English or know someone that needs assistance, to contact staff.

115.16 (b) TDOC takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively accurately and impartially. Language Line Services and/or staff interpreters are used to translate at this facility. The West Tennessee State Penitentiary has utilized Language Line Services, according to the Associate Warden and random staff interviews. At the time of the on-site visit, the auditor utilized the Language Line to interview a limited English proficient inmate. Interviews with random staff confirmed that interpretive services are available when needed. This process is documented on page 5, of the Tennessee Department of Corrections Index 506.02.

115.16 (c) Tennessee Department of Corrections Index 506.02 (page 5) illustrates the agency does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. The West Tennessee State

	<p>Penitentiary (WTSP) has utilized the Language Line Services, or staff interpreters. The Language Line Services and/or staff interpreters are used to translate at this facility. This practice was corroborated by the Associate Warden / Facility Coordinator, Unit Manager, Random Staff and Targeted inmates. The auditor utilized the Language Line Services to interview a LEP inmate.</p> <p>Auditors interviewed the following individuals to assist with determining compliance:</p> <ul style="list-style-type: none"> • Associate Warden / Facility PREA Compliance Manager • Random Staff • Targeted Inmates • Language Line interpreter • Staff Translator • Unit Manager <p>A review of the PREA investigations identified all allegations of sexual abuse and/or sexual harassment was reported by the alleged inmate victims. None was reported as using a translator.</p> <p>The facility meets compliance with this standard, based on reviewed documentation, walk through of the facility, random staff interviews and targeted staff interviews.</p>
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115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 301.04 Job Requirements • TDOC PREA Self Declaration Forms • TDOC PREA Questionnaire for Prior Institution Employees • Hiring and Promotional Records • Criminal History Background Records Check Documentation <p>115.17 (a) According to agency policy TDOC Index 301.04 (pages 8, 9 and 10), West Tennessee State Penitentiary does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor or volunteer who may have contact with inmates, who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did</p>

not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above. The agency does have a PREA Self-Declaration form on all applicants as well as a background check completed by the West Tennessee State Penitentiary on all new applicants confirming compliance. Review of 30 Human Resource files confirms this practice; 30 out of 30 were found to be in compliance. TDOC has developed and implemented a Self-Declaration of Sexual Abuse/Sexual Harassment form. It is being utilized for all applicants, employees, Unescorted Contractors/Volunteers and anytime an employee is promoted within the organization. 30 personnel records were reviewed and all 30 had a signed Self-Declaration of Sexual Abuse/Sexual Harassment Form. All thirty (30) files contained comprehensive background investigations.

115.17 (b) Tennessee Department of Corrections Index 301.04 (pages 8,9, and10) considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor or volunteer, who may have contact with inmates.

Interview with the Human Resource staff confirms this practice. 30 personnel records were reviewed and all 30 had a signed Self-Declaration of Sexual Abuse/Sexual Harassment Form; these forms are resigned annually. All 30 files contained comprehensive background investigations.

115.17 (c)-1 TDOC requires a criminal background records check be completed before hiring any new employee. 30 out of 30 Human Resource files that were reviewed showed compliance. All 30 files contained comprehensive background investigations. Interview with Human Resource Staff corroborates compliance. The facility identified 108 TDOC new hires during the 12-month review period.

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 during which the employee's birth date occurs. The Human Resources Offices of each TDOC work location will be responsible for compiling a monthly list of employees who have birthdays each month. Once the list is developed, the information is forwarded to the appropriate NCIC operator by the 25th of the month preceding the birth month in which the checks are to be completed. Per the Human Resources Administrator, the Tennessee Bureau of Investigations Operator utilizes the NCIC program only to conduct all background checks. The auditor randomly selected 30 TDOC staff for confirmation of annual background checks and identified no discrepancies.

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. The PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 requires staff to respond to the following questions: (a) Have you ever engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution? (b) Have you ever 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 Administrator, all current staff are required to complete the PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 annually during their birth month and annual background checks. Contract staff are required to submit a new form in July during their scheduled annual background check. Additionally, prior to staff requesting a promotion and are allowed to entrance for the interview, they are required to complete an updated PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819. The submission of false information will result in disqualification and/or termination.

The auditor randomly selected confirmation of a completed PREA Self-Declaration of Sexual Abuse/Sexual Harassment, CR-3819 for the following: medical, mental health, Aramark, volunteers, TDOC new hires and TDOC staff selected for promotion. There were no discrepancies identified in the agency's documentation submitted for this provision.

115.17 (g) TDOC Index 301.04 (pages 8, 9 and 10), mandates that material omissions regarding sexual misconduct, and the provision of materially giving false information, are grounds for termination as required by this standard. During the past twelve months, there was no incident that was applicable for this section of the standard. Interview with the PREA Manager confirmed this practice.

115.17 (h) TDOC Index 301.04 (pages 9 and 10) Consistent with Federal, State, and local law, the TDOC will make its 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 Administrator confirmed 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 upon receiving a question are from another correctional facility. The questionnaire is forward to the facility investigator for completion. Upon completion, the questionnaire is returned to the inquiring facility by the HRM. The staff seeking employment must give prior approval before the questionnaire can be forward for inquiry about their previous employment. A PREA Questionnaire for Prior Institution Employers were reviewed that notes the inquiry of prior sexual abuse/sexual harassment allegations and the signature of the applicant acknowledging the release of information.

Auditors interviewed the following staff members to determine compliance:

- Associate Warden / Facility PREA Coordinator
- Human Resources Manager
- State PREA Coordinator

The facility meets compliance with this standard, based on reviewed documentation and staff interviews.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 108.01 Facility Construction, Renovation, And Physical Plant Maintenance <p>115.18 (a) TDOC Index 108.01 (page 3), requires when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse. During this audit cycle there have been no expansions or modifications to this facility. The last expansion to the facility was in December 2023.</p> <p>115.18 (b) TDOC requires when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse. This was reaffirmed during an interview with the Warden and Associate Warden / Facility PREA Manager. The facility is budgeted and approved to install approximately 40 new additional cameras.</p> <p>The auditor interviewed the following staff members:</p> <ul style="list-style-type: none"> • Warden • Associate Warden <p>The facility meets compliance with this standard, based on reviewed documentation, observation during walkthrough of the facility, and staff interviews.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Office of Investigation and Compliance Evidence Protocol #008 • The Office of Investigation and Conduct: Unit Authority, Responsibility, Personnel- Selection and Training TDOC Index #107. 01

- TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy and Community Support Services for PREA Victims
- TDOC Index 502.06.2-1 PREA Allegations, Investigation and Sexual Abuse Response Team (SART)
- WTSP Index 502.06.2-1 PREA (SART)
- MOU with The Shelby County Crime Victims & Rape Crisis Center (CVRCC)
- TDOC Operation Protocol

115.21 (a) and (b) Tennessee Department of Corrections comply with all elements of this standard. According to policy 502.02.2, the agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative and criminal proceedings. The above policy also 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. The Agency employs investigators who have received special training in conducting sexual abuse investigations in confinement settings. The Office of Investigations and Compliance Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence. An Institution Investigator is assigned to conduct administrative investigation at all TDOC facilities. The OIAC Investigators are authorized to conduct administrative and criminal investigations. An Interview with the Institutional and Criminal Investigator confirms this practice. Training file shows the investigator has received specialized training in “sexual abuse in a confinement setting”.

115.21 (c) Tennessee Department of Corrections offers all victims of sexual abuse access to forensic medical examinations at the Jackson-Madison General Hospital without financial cost, where evidentiary or medically appropriate. The West Tennessee State Penitentiary has a Memorandum of Understanding with Jackson-Madison General Hospital to provide these services. Such examinations are to be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) as required. The ER physician or SANE will perform an examination utilizing a sexual assault evidence kit. This kit will be retained by the ER staff until received by an Investigator. 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. Upon evaluation of all information and evidence obtained, Investigators shall deliver evidence obtained from the investigation to the Tennessee Bureau of Investigations (TBI) Crime Laboratory for evaluation as possible evidence. The investigators will present all evidence in the case to the District Attorney’s Office for review, adoption, and prosecution of any suspects. During the past 12 months, there has not been any incident where this service was needed. This was confirmed by the Associate Warden / Facility PREA Manager and the Health Services Administrator.

The WTSP Facility PAQ did identify one qualifying event. An inmate needing to go to Jackson Madison County General Hospital for a SANE evaluation. Inmate was given the examination and outside counseling services. Inmate received additional support

	<p>from designated Facility Victim Advocate.</p> <p>115.21 (d) Tennessee Department of Corrections 506.02, Prison Rape Elimination Act (pages 18, 19, 20), the West Tennessee State Penitentiary has entered a Memorandum of Understanding with Crime Victims Rape Crisis Center (CVRCC) which agrees to provide outside victim advocacies services to the inmates. The services of these victim advocates have not been requested or used by the inmates during this audit cycle. Review of the MOU confirms this agreement.</p> <p>115.21 (e, f, h) 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. In addition to the review of the MOU between WTSP and the CVRCC and the assignment of a WTSP facility victim advocate, interviews with the CVRCC and facility victim, the auditor also reviewed the CVRCC's agency's website for confirmation of the available victim advocate services offered. The Center acknowledges free medical forensic exam, conducted by a Sexual Assault Nurse Examiner (SANE), services by a Crime Victim Advocate, free and confidential counseling to help them manage the emotional impact of an assault by trained CVRCC counselors, an offer to assist victims understand and cope with the range of emotions that often follow sexual victimization. Additionally, the CVRCC advocates are available to walk alongside the victim throughout the justice system. If the case is prosecuted, advocates will help victims navigate the court process and stay updated on case developments. These services were also identified as being available to the inmate population by the CVRCC staff. The WTSP facility victim advocate confirmed the six-hour Sexual Assault Advocacy course presented by the WRAP provided educational training on his responsibility to serve as a victim advocate.</p> <p>The auditor interviewed the following staff to determine compliance:</p> <ul style="list-style-type: none"> • Criminal Investigator • Institutional Investigator • Health Services Administrator • Mental Health Administrator • Facility Victim Advocate • Associate Warden / Facility PREA Manager • Crime Victim Rape Crisis Center (CVRCC) <p>The facility meets compliance with this standard, based on reviewed documentation, observation during walkthrough of the facility, and staff interviews.</p>
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115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

The auditor reviewed the following documentation to determine compliance:

- WTSP Completed Pre-Audit Questionnaire (PAQ)
- TDOC Index 502.06 Prison Rape Elimination Act
- Office of Investigations and Conduct (OIC) Roles and Responsibilities # 107.01
- TDOC Index 502.06.2 Prison Rape Elimination Act (PREA) Allegations, Investigations, and Sexual Abuse Response
- Review of PREA Investigative Case Files

115.22 (a) According to TDOC policy Index 502.06, it states: it's required to aggressively investigate all PREA complaints received at this facility. All potential criminal activity is investigated by OIC Criminal Investigators. 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 Institution Investigator and OIC Criminal Investigator indicated normally the initial investigation began on the same of the reported allegation. An Institution Investigator is assigned at all TDOC correctional institutions to conduct administrative investigations, and the Office of Investigation and Conduct Special Agents conduct 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. There were three (3) reports of sexual abuse and eighteen (18) of sexual harassment during the past 12 months; all were unfounded, substantiated, or unsubstantiated. One (1) of the sexual abuse cases resulted in criminal charges, one sexual abuse case is awaiting DNA results, The other case sexual abuse case was unfounded.

115.22 (b) On page 4 of policy 502.06, all PREA allegations are investigated by the Tennessee Department of Corrections for potential criminal activity. Per an interview with the Warden an administrative or criminal investigation is completed for all allegations of sexual abuse or sexual harassment. If it is determined that the allegation involves potential criminal activity, it will be referred to the Criminal Investigator and criminal investigation and prosecution as warranted. During the past 12 months, the facility has had eighteen (18) total PREA incidents; all were deemed to be unfounded, substantiated, or unsubstantiated. This policy is posted on the facility's website as required. During the past twelve months five (5) complaints were verbally made from inmates, 4 (four) were made in writing, seven (7), by PREA Hotline, two (2) reported by outside sources, one (1) of the above cases from an investigation involving an employee. Interview with the Institutional Investigator confirmed this practice.

All investigators receive specialized training specific to sexual assault in correctional institutions. The reviewed Tennessee Department of Corrections website included a section discussing sexual assaults and sexual misconduct. The website also states that all perpetrators of sexual abuse will be prosecuted and zero tolerance.

	<p>(c) TDOC is responsible for conducting all sexual abuse and sexual harassment investigations. Therefore, this provision is not applicable.</p> <p>The auditor interviewed the following staff to determine compliance:</p> <ul style="list-style-type: none"> • Institutional Investigator • Criminal Investigator / Special Agent • Warden / Associate Warden <p>The facility meets compliance with this standard, based on reviewed documentation, and staff interviews.</p>
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115.31	Employee training
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following policies and documentation:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06 PREA Elimination Act (PREA) • TDOC Index 502.06 PREA Implementation, Education, and Compliance • TCA PREA Training Lesson Plans • PREA Training Documentation • PREA Training Acknowledgement Forms Contractor &Volunteers <p>115.31 (a) TDOC policy 502.06 PREA Elimination Act (pages 6 and 7), agency will train all their employees who have contact with inmates on: (1) Its zero-tolerance policy for sexual abuse and sexual harassment; (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; (3) Inmates’ right to be free from sexual abuse and sexual harassment; (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; (5) The dynamics of sexual abuse and sexual harassment in confinement; (6) The common reactions of sexual abuse and sexual harassment victims; (7) How to detect and respond to signs of threatened and actual sexual abuse; (8) How to avoid inappropriate relationships with inmates; (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. 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 State-wide PREA Coordinator and TDOC General Counsel. Review of the training curriculum confirms</p>

	<p>this process. Staff interviews revealed they had received PREA training on all listed bullets.</p> <p>115.31 (b) The training is tailored to both male and female gender of the inmates at West Tennessee State Penitentiary. A review of random training files was reviewed and found to be following the agency's policy. 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 females to males. A review of the training curriculum and training material corroborates this practice. West Tennessee State Penitentiary (WTSP) houses male inmates.</p> <p>115.31(c) (d) 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. In-service training is scheduled to be completed within each fiscal year. TDOC fiscal year begins on July 1st of each year while ending on June 30th of the following year. Documentation of the completed PREA training is maintained on the computer. The Tennessee Department of Corrections has a specific form for employees to sign, acknowledging they have received and understand the PREA training. A Review of random training files revealed and found to be in compliance. Staff receive training during shift briefings and issue PREA refresher cards to carry on them, while on duty. 100% of random staff and specialized staff interviewed confirmed the completion of the TDOC PREA training during pre-service and/or annually during in-service containing all information required by this provision. PREA education is posted on bulletin boards throughout the institution. All staff to include security, non-security, contractor and volunteers are issued PREA refresher cards that are attached to their identification badge with refresher training in staff's responses to reported allegations of sexual abuse.</p> <p>The auditor interviewed the following staff to determine compliance with this standard:</p> <ul style="list-style-type: none"> • Random Staff • Specialized Staff • Associate Warden / Facility PREA Compliance Manager • Training Staff <p>The facility has demonstrated compliance with this standard, based on staff interviews, and documentation reviews.</p>
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115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor reviewed the following policies and documentation:

- WTSP Completed Pre-Audit Questionnaire (PAQ)
- TDOC Index 502.06 PREA Implementation, Education, and Compliance
- TDOC Index 110.01 New Employee Orientation and PRE- Service (Basic) Training
- TDOC Index 110.05 In Service Training
- TDOC Volunteer Services Power Point Presentation
- PREA Training records and Rosters
- Staff educational PREA Posters

115.32 (a) TDOC Policy Index 502.06, (page 7), Each Facility ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Tennessee Department of Corrections zero tolerance, sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Interview with 2 volunteers and 2 contractors confirmed they received and understood PREA training. The Facility Chaplain conducts both initial and annual training for all volunteers. Volunteers shall receive their PREA training in accordance with Policy #115.01. Training acknowledgement for volunteers and contractors shall be documented by signature, on CR-3965, noting that they understand the training received. In-service training is scheduled to be completed within each fiscal year. The fiscal year begins on July 1st of each year. Upon signing the training certification, each volunteer acknowledged they agreed to abide by these policies and all other TDOC policies during their tenure as a volunteer for the TDOC. Volunteers also documented their completion and understanding of the PREA training received on the CR-3965. A copy of the TDOC Volunteer Services Lesson power point presentation was provided to the auditor for review.

115.32 (b) (c) The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of West Tennessee State Penitentiary zero-tolerance policy regarding sexual abuse and sexual harassment and their requirements to report such incidents. Volunteers and contractors were well versed in Zero Tolerance policy and First Responder duties. During the past 12 months, there were no volunteers or contractors who acted as First Responders to a sexual abuse incident.

Interviews were conducted with two contractors (medical) who provide services at WTSP. Both acknowledged receipt of PREA training by staff and were extremely knowledgeable of their responsibility upon becoming aware and/or informed of a PREA allegation by an inmate and/or through observation. Each reported they were trained on their responsibility under TDOC's sexual abuse and sexual harassment prevention, detection and response policies and procedures. Both received specialized training due to them working in health services. A scenario was given to both contractors. They continued stating; they would immediately notify the nearest security staff member and/or shift commander and maintain a visual on the alleged victim. The auditor reviewed the lesson plan and training files of contractors.

The following individuals interviewed to determine compliance:

	<ul style="list-style-type: none"> • Volunteers • Contractors • Training Staff • Chaplain <p>The facility has demonstrated compliance with this standard, based on staff interviews, and documentation reviews.</p>
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115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following policies and documentation:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06 Prison Rape Elimination Act (PREA) • TDOC Index 404.05 Orientation Unit • PREA Hotline signs (English and Spanish) • WTSP Inmate Rules and Regulations Handbook • PREA Sexual Assault Awareness Brochure (English and Spanish) • Inmate TDOC Orientation Acknowledgement Forms • Inmate Housing Tour <p>115.33 (a) (b) (c) Tennessee Department of Corrections policy 502.06 (page 5) states that during the intake process, inmates receive information explaining West Tennessee State Penitentiary's zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Inmates receive Preventing Sexual Abuse Brochure; this brochure is printed in both English and Spanish. An Inmate Handbook with information about sexual abuse and is part of their intake packet. 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.</p> <p>The PAQ indicated there were 197 inmates admitted to the facility during the 12-month review period. These inmates were identified as those whose length of stay in the facility was longer than 30 days during the review period.</p> <p>The auditor toured the Intake during the new inmate arrival and observed the process. An interview with a counselor who is assigned to conduct risk screening during the Intake Process. The intake process was explained as upon arrival the inmate receives an orientation package, this package includes the facility inmate rules and regulations handbook, visitation handbook, and are shown the PREA video</p>

titled "PREA: What You Need to Know." This information is presented to all new admissions to include those inmates transferring from other TDOC facilities. These inmates also attend an Orientation Class with their assigned counselors where detailed instructions are reviewed to include how to report PREA. Upon completion, inmates sign and date the TDOC Orientation Acknowledged form.

The auditors conducted random and targeted inmate interviews. All interviewed inmates indicated they received educational PREA information via the pamphlet, handbook and/or observation of the PREA video upon their arrival at the facility during intake and/or orientation with their counselor. The inmates also mentioned the PREA information that is posted on the bulletin boards and signage on the walls, and on every telephone providing them with PREA information and how to report PREA allegations.

The auditor randomly selected forty- eight (48) inmates that included new arrivals and included transfers from other TDOC facilities during the review period for confirmation of received PREA education within 30 days of arrival. Documentation supported confirmation of inmates' participation in observing the PREA video, receiving a TDOC Inmate Rules and Regulations Handbook, that contains additional PREA education, and a PREA brochure. A review of the inmates' arrival date at the facility confirmed the inmate acknowledged receipt of the various PREA education material on the day of arrival and/or the following day after arrival to the facility.

115.33 (d) (e) Tennessee Department of Corrections provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. The facility has an agreement with Language Line Services as well as a TDD phones to assist inmates with these disabilities. A functionality test was successfully performed on the TDD phone by the auditor. The facility will assign staff as needed to ensure comprehension is achieved by inmates with disabilities. The auditor interviewed four (4) inmates with disabilities, all demonstrated how to report sexual abuse and were familiar with victim advocacy services available from WRAP. All 4 inmates with disabilities stated they had received in-depth PREA training.

The PREA video titled "PREA: What You Need to Know" is played in the intake area upon the inmate's arrival throughout the intake process and is available in both English and Spanish. The video is also played with a closed caption for inmates who are hard of hearing, and/or have low vision. The facility Inmate Rules and Regulations Handbook is available in both English and Spanish in addition to all other PREA resources that includes posters, information to report PREA allegations via telephone and mail, and the issued PREA pamphlets. The WTSP Associate Warden (T)/PREA Coordinator also provides translation services for LEP inmates in the Spanish language. The auditors interviewed a LEP inmate by utilizing the Language Line.

115.33 (e) There was documentation provided of inmate's participation in PREA educational sessions as required by this part of the standard. All interviews with random inmates and review of intake files confirmed this practice. The West Tennessee State Penitentiary has each inmate sign the "Orientation

	<p>Acknowledgement Form". This form signifies they have received PREA training, know all the ways to report sexual abuse and sexual harassment and have been given the telephone number and address to the WRAP.</p> <p>Forty- six interviews with the inmate population indicated they received educational PREA information via the pamphlet, handbook and/or observation of the PREA video upon their arrival at the facility during intake and/or orientation with their counselor. The inmates also mentioned the PREA information that is posted on the bulletin boards and signage on the walls, and on every telephone providing them with PREA information and how to report PREA allegations.</p> <p>115.33 (f) West Tennessee State Penitentiary does provide the inmates with posters in inmate accessible areas, pamphlets received upon intake, and an inmate handbook in English and Spanish outlining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Items were observed by the auditor during the on-site visit. Spanish information is also available on posters located in each housing unit.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Random Inmates • Targeted Inmates • Intake Staff • Counselor • Associate Warden / Facility PREA Compliance Manager <p>The facility meets compliance with this standard, based on reviewed documentation, observation during walkthrough of the facility, inmate and staff interviews.</p>
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115.34	Specialized training: Investigations
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • TDOC Index 502.06.2 PREA Allegations, Investigation, and SART • TDOC Index 107.01 Office of Investigation and Conduct Unit Authority, Responsibility, Personnel Selection and Training • Uniform Evidence Protocol #008 • Documentation of Specialized Training for Agency Investigators • WTSP Completed Pre-Audit Questionnaire (PAQ) <p>115.34(a) The TDOC employs investigative staff responsible for conducting both administrative and criminal investigations. The investigative staff are assigned to the</p>

Office of Investigations and Conduct. The OIC Institution Investigators are authorized to conduct administrative investigations only. Special Agents and Special Agents in Charge within the OIC are authorized to conduct both administrative and criminal investigations.

115.34 (a) Documented in policy Tennessee Department of Corrections Uniform Evidence Protocol #008 (page 8), the Institutional Investigator has received the general PREA training provided to all employees and specialized sexual abuse training in a confinement setting (pursuant to 115.31). West Tennessee State Penitentiary ensures that the Institutional Investigators have received training in conducting investigations in confinement settings. The Institutional Investigator has completed a 3-hour National Institute of Corrections course on investigating sexual assaults in a confinement setting. Review of the Institutional Investigators training files confirmed this practice. The Institution Investigator confirmed topics of the training completed through the National Corrections of Institute also includes interviewing techniques, use of the Garrity warning, evidence collection and evidence required to substantiate an administrative investigation. He added, if a case is lending toward criminal charges, the Special Agent in Charge notifies the Special Agent who conducts the investigation, and he aids throughout the investigative process.

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.) An interview was conducted with the OIC Special Agent assigned to the facility. He acknowledged his completion of law enforcement training through the Tennessee Correction Academy and his position as a sworn law enforcement officer for TDOC. 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."

115.34(b) The OIC Special Agent indicated specialized training for the OIC Special Agents is mandatory and completed through the Tennessee Police Training Academy, Tennessee Bureau of Investigations, and the Tennessee Law Enforcement Academy as the OIC Special Agents are sworn law enforcement officers for TDOC. The OIC Special Agent stated the training courses he received as a Special Agent and sworn law enforcement officer far exceed the provisions of the standard. However, the completed on-line courses of "PREA: Investigating Sexual Abuse in a Confinement Setting" does include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and sexual abuse evidence collection within a confinement setting in gathering sufficient evidence for both administrative investigations and/or criminal prosecution as applicable.

115.34(c) The Department shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse

	<p>investigations. The auditor reviewed training certificates of completion for the OIC Special Agent, OIC Institution Investigator, and the WTSP Internal Affairs Investigator's specialized training titled "PREA: Investigating Sexual Abuse in a Confinement Setting."</p> <p>The auditor interviewed the following investigators to determine compliance:</p> <ul style="list-style-type: none"> • Special Agent (Criminal Investigator) • OIC Institutional Investigator • Associate Warden / Facility PREA Compliance Manager <p>The facility meets compliance with this standard, based on reviewing PREA Investigations, reviewing training files, lesson plans, Certificates, and interviewing both Special Agent and Institutional Investigator.</p>
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115.35	Specialized training: Medical and mental health care
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06 PREA Implementation, Education and Compliance • TDOC Index 502.06.3 Medical, Mental Health, Victim Advocacy, and Community Support Services for PREA Victims • PREA Resource Center Lesson Plan – Specialized Training for Medical/Mental Health Care Standards • Medical and Mental Health Staff Training Records <p>115.35 (a) TDOC Policy 502.06 (pages 6-7) outline training requirements for medical and mental health staff. The PREA Specialized Medical/Mental Health training video, curriculum provided, training file West Tennessee State Penitentiary review and staff interviews revealed the agency has provided specialized training to all its medical and mental health staff on how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how to report allegations of sexual abuse and sexual harassment. A copy of the 100 pages lesson plan was presented for review by the auditor. This information covers four modules (1) Detecting and Assessing Signs of Sexual Abuse and Sexual Harassment; Module 2: Reporting: Module Effective and Professional Responses; Module 4 – The Medical Forensic Examination and Evidence Preservation. The staff are given a post-test after training that is divided into 4 modules. The training is documented on the TDOC training Roster, CR-2245, and copies provided to the facility training specialist. The</p>

	<p>Specialized training is required once but the PREA training is required to be completed annually through the LMS and was documented as such. The review of five (5) training files confirmed this practice.</p> <p>115.35 (b) The medical staff at this facility do not conduct forensic exams; such exams are conducted at Jackson-Madison General Hospital. Therefore, this part of the standard is not applicable to this facility.</p> <p>115.35 (c) West Tennessee State Penitentiary has full-time medical and mental health staff. The agency maintains documentation that all medical and mental health practitioners have received specialized training. Specialized training consisted of the Centurium and TDOC course for medical and mental health staff on dealing with sexual abuse incidents in a confinement setting. Review of 5 Medical/Mental Health training files confirmed this practice. Training was confirmed during an interview with medical and mental health staff. Training records are electronically stored in "Learning Management System". "Training Activity Enrollment/Attendance Rosters" were also reviewed.</p> <p>115.35 (d) The auditor reviewed training records identifying medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31. Per the WTSP Training Specialist, all medical and mental health staff are required, as other TDOC staff attended and passed the TDOC PREA training. Course documentation is also maintained by the WTSP Training Specialist in the Learning Management System (LMS) and by the Medical and Mental Health supervisors. An interview with the Mental Health Administrator, and Health Services Administrator, confirmed staff within the departments are required to complete PREA training through their contracting agency Centurium and the TDOC PREA Specialized training for Medical and Mental Health. The Health Services Administrator was identified as certified to present the training course. The Specialized training is required once but the PREA training is required to be completed annually through the LMS and was documented. The auditor spoke with the following Health Services staff to determine compliance:</p> <ul style="list-style-type: none"> • Health Services Administrator • Mental Health Administrator <p>The facility meets compliance with this standard, based on review of lesson plans, training rosters, and staff interviews.</p>
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115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor reviewed the following policies and documentation to determine

compliance:

- WTSP Completed Pre-Audit Questionnaire (PAQ)
- TDOC Index 502.06.1 PREA Screening, Classification, and Monitoring
- Prison Rape Elimination Act (PREA) Index #502.06
- PREA Screening System Application
- Completed Risk Screenings
- Department of Corrections PREA Intake Spreadsheets

115.41(a) TDOC Index 502.06.1 (pages 2- 5) establishes policy and assigns responsibilities for screening individuals housed in a correctional facility under the authority of the TDOC staff. Staff are to assess the risk of the individual being sexually abused or being sexually abusive towards other inmates. Random and targeted inmate interviews corroborate this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (a) Policy TDOC Index #502.06 (pages 8-13) states that all inmates are assessed during intake and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. Interview with the PREA Manager confirms this practice. The agency uses the PREA Screening System Application located on the TDOC intranet to assess an inmate's risk of sexual victimization and risk of sexually abusing other inmates. A random sample of 48 inmate PREA Screening System forms was selected for review. 100% of the sample was screened using the PREA Screening form. The initial risk screening assessment is completed upon arrival at WTSP by the intake staff. Interviews with the counselors confirmed the PREA Screening System is utilized to conduct screening for the risk of sexual victimization and abusiveness. Overall inmates interviewed reported being asked questions related to the PREA Screening System form. Additionally, the inmate population reported whether they had ever been sexually abused by medical staff during the intake process.

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 there were 197 inmates admitted to the facility during the 12-month review period longer than 30 days. The West Tennessee State Penitentiary provided documentation proving compliance with the standard that all inmates are screened for their risk of being sexually abused by other inmates or being sexually abusive toward other inmates normally upon intake but no later than 72 hours of arrival at the facility. All screening reviewed appeared to properly be completed and within the prior time frame. 48 out of 48 records reviewed showed 100% compliance.

115.41(c) (d) TDOC Index 502.06.1 requires authorized users to utilize the PREA Screening System Application located on the TDOC intranet. User security access to this system is authorized by the Associate Warden of Treatment. The PREA Screening System Application form is an agency-approved standardized screening instrument.

The PREA Screening form assigns a numerical point value to questions regarding risk of victimization and risk of abusiveness categories. The form considers the 10 separate inmate risk of victimization factors and risk of abusiveness factors noted in this provision.

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

Each risk factor is assigned to a numerical point value based on the information obtained from an interview with the inmate and information from the inmate's record. The determination of an inmate being identified as a prior victim of sexual abuse, at risk of sexual victimization and/or aggressor of sexual abuse is automatically generated within the program based on the inmate's responses to the various questions asked noted on the PREA Screening form. Although inmates are not detained solely for civil immigration purposes with the TDOC, this information is included in the PREA Screening System Application for response.

115.41 (e) The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to facility, in assessing inmates for risk of being sexually abusive. Review of the screening tool confirms compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit. The auditor observed the intake process of arriving inmates during the on-site visit. Staff who conduct risk screening, medical staff and mental health are notified of the incoming chain upon arrival and report to the Intake area. The intake process began within minutes of the inmate's arrival. The auditor observed the PREA risk screening conducted by the Intake Counselor. Staff utilized the PREA Screening System Application form to conduct the risk screening and were provided with responses for each question by the interviewed inmate. Additionally, each inmate was asked if they had been sexually abused by medical staff during the medical intake process.

115.41 (f) Within 30 days from the inmate's arrival, the West Tennessee State Penitentiary Unit Management staff will reassess each inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening. A report in the PREA Screening Application or E- Tomis

outlines which inmates need of a reassessment. The reassessment consists of a face-to-face interview with each inmate by the appropriate Unit Manager. File review (48 out of 48) and interview with the PREA Manager confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (g) Tennessee Department of Corrections policy 502.06.1 Unit Management will reassess an inmate's risk level when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. The PREA Screening System Application is utilized to conduct all re-assessment. A review of the 48 randomly selected PREA risk screenings revealed all inmates were re-assess by the appropriate staff not later than 30 days of the inmate's arrival and/or initial risk assessments. Staff identified additional risk assessments are conducted upon receiving additional and/or new information to include additional criminal charges, information of sexual abuse prior to incarceration and/or a substantiated sexual abuse investigations and identification of being a victim of sexual abuse and/or an aggressor in addition to during annual re-classification. He added inmates identified as transgender and/or intersex are re-classified bi-annually.

115.41 (h) Tennessee Department of Corrections does not discipline inmates for refusing to answer screening questions or not disclosing complete information. Random inmates confirmed compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit. An interview was conducted with Associate Warden / Facility PREA Manager and counselor. Both stated they have never had an inmate who refused to cooperate during the intake process. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (i) West Tennessee Detention Facility implements appropriate controls on the dissemination of responses to questions asked pursuant to this standard to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Screenings are considered confidential. Based on policy review, interview with the PREA Manager, and interviews with the staff responsible for completing the screening, all information gathered on the screening instrument is restricted to staff making housing, work and program assignments. Screening documents are electronically stored and limited to personnel assigned to complete the screening and re-screenings, medical/mental health and administrative staff. Reassessments are secured electronically. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

The auditor interviewed the following individuals to determine compliance:

- Associate Warden / Facility PREA Manager
- Unit Manager / Counselors
- Intake Staff
- Random Inmates
- Targeted Inmates

	The facility meets compliance with this standard, based on review of screening forms, and other documentation. Inmate and staff interviews were conducted.
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115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following policies and documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.1 PREA Screening, Classification, and Monitoring • TDOC Index 113.37 Gender Dysphoria • TDOC Index 112.08 Personal Hygiene Resources for Inmates • Re-Classifications for Transgender Inmates • PREA Screening System Application factors • Contact Notes within Inmate Files • Housing Assignments <p>115.42 (a) TDOC Policy 506.06.1 (pages 3- 4) details West Tennessee State Penitentiary uses information from risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. West Tennessee State Penitentiary utilizes a document PREA Screening Application as a guide to all housing and programming issues. During the site review, the auditor randomly reviewed housing and programming for screened inmates. The Unit Manager and Associate Warden / Facility PREA Manager manages reports on the screening application, tracking Predator, Potential Predator, Victim and Potential Victim. The Screeners ensures all referrals to mental health are completed. Records review showed inmates were properly referred. Unit Management is responsible for cell movements, reviewing the policy and acknowledging it. Staff who perform screening reported inmates at risk of victimization are separated from inmates at risk of abusiveness based on the risk assessment score. Those who are at risk of victimization cannot be housed with those who are at risk of abusiveness. Therefore, the facility does demonstrate compliance with this part of the standard during this audit.</p> <p>115.42 (b) TDOC Index 502.06.1 and TDOC Index 113.37 Gender Dysphoria 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. West Tennessee State Penitentiary makes individualized determinations about how to ensure the safety of each inmate. Inmates who are deemed sexual aggressors or sexual victims will be appropriately</p>

housed separately and assessed by Mental Health.

This was corroborated by the auditor's observation during the on-site review, housing records review and during an interview with Unit Management. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (c) West Tennessee State Penitentiary (WTSP) the procedures to be followed in deciding whether to assign a transgender inmate to a facility for male or female inmates, and the process for making housing and programming assignments, on case-by-case basis as required by this standard and TDOC Index 502.06.1 and TDOC Index 113.37. At the time of the audit, West Tennessee State Penitentiary three (3) transgender inmates. The WTSP has developed and implemented a case-by-case process; this process shall be documented and shall be used anytime a transgender or intersex inmate is received into the facility. The form is completed by a multi-disciplinary team. Items reviewed include:

- The inmate's own perception of vulnerability.
- The inmate's privacy with regard to showering.
- Prior Acts of sexual abuse
- Institutional disciplinary history
- The inmate's current medical, medication and mental health services

Gender Accommodation Review Committee (GARC) documents recommendations for housing, worker status, education opportunities; as well as programming. Based on interviews with the targeted inmates housed at this facility, the inmate confirmed feeling safe at the facility and felt staff considered the inmate's safety when making housing and programming assignments. Therefore, the facility demonstrates compliance with this part of the standard during this audit.

115.42 (d) Tennessee Department of Corrections outlines the procedures for placement and programming assignments of each transgender or intersex inmate being reassessed at least twice per year by the Classification Staff review any threats to safety experienced by the inmate as required by this standard. TDOC Index 502.06.1 (page 2) indicates that placement for inmates identified as transgender or intersex shall be considered on a case-by-case basis. The inmate's own views with respect to his safety shall be given serious consideration. TDOC Index 502.06.1 (page 2) and interview with the PREA Manager confirmed this procedure. There were no transgender or intersex inmates housed in the facility for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (e) TDOC Index 502.06.1 (page 2) and TDOC Index 113.37 (pages 8 and 9) requires that a transgender and intersex inmate's own views regarding their own safety be given serious consideration. There were three (3) transgender inmates housed in the facility for the past twelve months. The West Tennessee State Penitentiary utilizes the Gender Accommodation Review Committee (GARC) Team members to decide on case-by-case basis housing and programming. Items reviewed include:

- The inmate's own perception of vulnerability.
- The inmate's privacy with regard to showering.
- Prior Acts of sexual abuse
- Institutional disciplinary history
- The inmate's current medical, medication and mental health services

Gender Accommodation Review Committee documents recommendations for housing, worker status, education opportunities; as well as programming. The auditor interviewed a counselor and Associate Warden / Facility PREA Manager, both reported the transgender inmates' own views of safety is considered which was confirmed in the contact notes during the various screening, and re-class. Interviews with counselors who perform risk assessment screening, random and specialized staff denied any knowledge of inmates identified as intersex ever being designated at WTSP. Therefore, the facility demonstrates compliance with this part of the standard during this audit.

115.42 (f) West Tennessee State Penitentiary requires that transgender and intersex inmates be given the opportunity to shower separately from other inmates. During the time of the on- site review, there were three (3) transgender inmates to interview. This is outlined in TDOC Index 113.37 Gender Dysphoria (page 7) and TDOC Index 112.08 (page 2). The auditor observed that the showers at this facility are covered and allows all inmates privacy. Housing and programming decisions are made by the Gender Accommodation Review Committee (GARC) members on a case-by-case basis. The decision is documented in the "notes" section in the Offender Management System (OMS). Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (g) TDOC Index 113.37 Gender Dysphoria states, Facilities does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates. The auditor's observation during the site review corroborated this procedure; inmates were not found to be placed in any particular housing unit in the facility based on Gender Identity related information. This was confirmed during an interview with three (3) transgender inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

The following individuals were interviewed to determine compliance:

- Warden
- Associate Warden / Facility PREA Manager
- Counselor
- Unit Manager
- Random Staff
- Specialize Staff
- Targeted Inmates

	The facility meets compliance with this standard, based on review of documentation, Inmate and staff interviews were conducted.
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115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following policies and documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and Sexual Abuse Response Team (SART) • TDOC Index 502.06 Prison Rape Elimination Act (PREA) • Associate Warden's / Facility PREA Manager Memo <p>115.43 (a) Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. The Tennessee Department of Corrections Index 502.06.2 (page 4) outlines the procedures to ensure compliance with this standard. The PAQ noted that there have been zero inmates held in involuntary segregated housing in the past 12 months. An interview with Warden revealed, he was aware of the requirements pertaining to the placement of inmates at high risk of sexual victimization in involuntary segregated housing. An interview with staff who supervise inmates in segregated housing and the WTSP Warden confirmed the facility does not use involuntary segregated housing for inmates who are identified at a high risk of victimization. Random Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility.</p> <p>115.43 (b) Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If West Tennessee State Penitentiary restricts access to programs, privileges, education, or work opportunities, the documents the opportunities that have been limited, the duration of the limitation, and the reasons for such limitations. Segregated Housing Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility. The auditor conducted a tour of all restricted housing units at WTSP and conducted interviews with inmates assigned to each restricted housing unit. Review of staff visiting logs, inmate logs, documentation and interviews with inmates assigned confirmed all inmates have access to legal and leisure material, phone calls, mail, education, medical, mental health services, recreation, meals, and access to staff.</p>

115.43 (c), (d), (e) TDOC Index 502.06.2 (page 4) details the West Tennessee State Penitentiary assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment does not ordinarily exceed a period of 30 days. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility; therefore, there were no 30-day reviews. This was corroborated by the Associate Warden / PREA Manager. Therefore, the facility demonstrated compliance with this part of the standard during this audit. The PAQ noted 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 that involuntary segregated housing is not used for inmates at high risk for sexual victimization.

An interview with Warden, the facility has not utilized involuntary segregated housing for inmates who are determined to be at a high risk of victimization and this process has not been utilized during the 12-month review period. However, policy does provide guidance in TDOC Index 502.06.2 (page 4) 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.

TDOC Index 502.06.2 states every 30 days that the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population. Interviews with staff assigned to supervise segregation and the Institution Investigator indicated the alleged victim would remain on the compound and the alleged abuser would be placed in segregated housing pending an investigation. There were no inmates placed in involuntary segregation based on being identified at a high risk of victimization. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

The auditor interviewed the following individuals to determine compliance:

- Warden
- Random Staff
- Specialized Staff
- Targeted Inmates
- Segregated Housing Supervisor
- Institutional Investigator
- Associate Warden / Facility PREA Compliance Manager

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

Auditor Overall Determination: Meets Standard

Auditor Discussion

The auditor reviewed the following policies and documentation to determine compliance:

- WTSP Completed Pre-Audit Questionnaire (PAQ)
- TDOC Index 502.06 Prison Rape Elimination Act
- TDOC Index 501.01 Inmate Grievance Procedures
- PREA Investigations
- Memorandum from Warden to All Staff
- PREA Posters / PREA Pamphlet
- Inmate Rules and Regulations Handbook
- Victim Advocate Rosters
- Staff PREA Cards
- MOU with Shelby County Crime Victim and Rape Crisis Center
- PREA Tip line Posters

115.51 (a) TDOC Index 502.06 (page13) state the West Tennessee State Penitentiary provides multiple internal ways for inmates to report incidents of abuse or harassment. They include:

- Reporting directly to staff
- Facility PREA Tip Line
- Third-party reporting
- Written communication

Interviews with random and specialized staff identified these methods as accessible to the inmate population to report PREA allegations.

Methods of reporting PREA allegations are posted on PREA posters throughout the facility to include inmate program areas, housing units, inmate dining, education, medical, visitation, recreation, work assignment areas, and on inmate telephones in addition to the inclusion in the inmate handbook. Formal and informal inmate interviews indicated all inmates were aware of the available reporting options. They acknowledged PREA posters and signage on the facility's walls throughout identifying the PREA Hotline is accessible by calling *9222 and/or *9555 and noted the PREA Hotline as the most common response.

115.51 (b) West Tennessee State Penitentiary provides at least one way for inmates to report abuse or harassment to a public or private entity or Office that is not part of West Tennessee State Penitentiary, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. This information shall be made available through the Inmate Handbook.

A review of the WTSP Inmate Rules and Regulation Handbook identifies resources

outside the facility to report PREA allegations. The handbook states: "To report incidents of sexual abuse to an outside resource you may call *9555. (The Shelby County Crime Victims Rape Crisis Center, 1060 Madison Ave, Memphis TN 38104). This call will be confidential and TDOC will NOT record the call. The Shelby County Crime Victims Rape Crisis Center also offers victim advocacy services. Mail is a valid outlet for PREA communications with an outside agency. All mail identified as containing a PREA Allegation to an official or organization shall be treated as legal mail. All mail forward to The Shelby County Crime Victims Rape Crisis Center 1750 Madison Ave Memphis, TN 38104 shall be treated as legal mail."

The WTSP addressed a memorandum all staff identifying mail as a valid outlet for PREA communication within an outside agency while stating "All mail identified as containing a PREA Allegation going to an official or organization shall be treated as legal mail. All mail this sent to The Shelby County Crime Victims Rape Crisis Center, 1750 Madison Ave, Memphis, TN38104 shall also be treated as legal mail." An interview was conducted with the WTSP mailroom staff who confirmed all outgoing mail identified as legal and/or noted to an agency related to reporting PREA allegations, would be documented as outgoing mail but would not be screened. An interview with the Associate Warden / PREA Compliance Manager confirmed the identified avenues as methods of external reporting resources for inmate reporting PREA allegations.

An interview with an employee from The Shelby County Crime Victims Rape Crisis Center. She stated her organization has agreed to receive reports of sexual abuse and sexual harassment from inmates at WTSP. She further explained, a listener is always available to speak directly with the caller and although the center can receive and immediately forward inmates reports of sexual abuse and sexual harassment to the TDOC facilities, the callers must give authorization for staff to release the information prior to contacting the facility.

WTSP does not house inmates who are detained solely for civil immigration purposes. Thirty-eight formal inmates were conducted. The inmate population was familiar with both PREA Hotline numbers internal *9222 and external *9555 but had not utilized the numbers.

115.51 (c) TDOC Index 502.06.2 (pages 3) requires all staff to accept reports made verbally, in writing, anonymously and from third parties. All allegations shall be documented within 24 hours of becoming known to facility staff in the PREA Allegations System (PAS). Random staff interviews stated inmates could report sexual abuse or sexual harassment either verbally, in writing, anonymously, and via third parties. A review of the completed 23 PREA investigative case files confirmed the case files included written statements made by inmates who reported PREA allegations, emails forwarded to WTSP from third parties, summaries of calls made through the PREA Hotline, grievances filed by the inmate population, and statements made by staff. The Institution Investigator included within the summary of the investigative reports the method that each allegation was reported. The Institutional Investigator confirmed this practice.

	<p>115.51 (d) West Tennessee State Penitentiary staff may privately report sexual abuse and sexual harassment of inmates to the Central Office PREA Tip Line. Interviews with 23 random and targeted staff indicated they were knowledgeable in how to privately report sexual abuse or sexual harassment. Most 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. TDOC Index 502.06 (page 13) covers the above.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Institutional Investigator • Associate Warden / PREA Compliance Manager • Random / Targeted Inmates • Crisis Center employee <p>Based on the review of policies, documents, facility walkthrough, and interviews, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 501.01 Inmate Grievance Procedures • Inmate Grievance Handbook • Inmate Grievances alleging sexual abuse and response • Inmate Handbook • PREA Posters <p>115.52(a) TDOC Index 501.01 (pages 6 and 7) 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 grievance alleging sexual abuse at any time. An interview was conducted with the Grievance Officer 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 allegations from other grievances.</p> <p>Per the conversation with the Grievance Officer, upon receiving a grievance alleging PREA allegations, she immediately calls the Institution Investigator, Associate Warden /Facility PREA Coordinator, informing them verbally of the reported PREA allegation and forward the grievance to each via email for an immediate investigation.</p>

115.52(b): In accordance with Tennessee Department of Corrections Index 501.01 (pages 6 and 7), an inmate may submit a grievance alleging sexual abuse at any time. Applicable time limits shall apply to any portion of a grievance that does not allege an incident of sexual abuse. Inmates shall not be required to use any informal grievance process, or to otherwise attempt to resolve with staff an alleged incident of sexual abuse.

115.52(c): In accordance with TDOC 501.01 (pages 6 and 7), 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.

115.52(d): In accordance with TDOC Index 501.01 (page 7), a final decision on the merits of any portion of a grievance alleging sexual abuse shall be issued by the Associate Warden of Treatment (AWT) and Deputy Superintendent (DS) within 90 days of the initial filing of the grievance. Computation of the 90-day time period shall not include time used by inmates in preparing the grievance. The Tennessee Department of Corrections may claim an extension of time to respond, up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The inmate shall be notified in writing by the AWT/DS of any such extension and be provided with a date by which a decision will be made. At any level of the grievance, including final level, if the inmate does not receive a response within the time allotted to reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.

115.52(e): In accordance with TDOC 501.01 (page 7), third parties (including fellow inmates, staff members, family members, attorneys, and outside advocates) 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 inmates. If a third-party file such a grievance on behalf of an inmate, that inmate shall agree to have the grievance filed on his/her behalf and document such on Inmate Grievance, CR-1394. The inmate shall be required to personally pursue any subsequent steps in the grievance process. If the inmate declines to have the grievance processed on his/her behalf, the inmate's decision shall be documented on the original Inmate Grievance, CR-1394, and signed by the inmate.

115.52(f): In accordance with Tennessee Department of Corrections Index 501.01 (page 7), after receiving an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse, the grievance chairperson shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to the Associate Warden / Facility PREA Coordinator so that any required immediate corrective action may be taken. The grievance chairperson shall provide an initial response within 48 hours and shall issue a final decision within five calendar days. The initial response and final decision provided within the PREA Allegation System shall document the facility's determination as to whether the inmate is at substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. A final decision on the merits of any portion of a grievance alleging sexual abuse shall be issued by the Associate Warden

of Treatment (AWT) and Deputy Superintendent (DS) within 90 days of the initial filing of the grievance. Computation of the 90-day time period shall not include time used by inmates in preparing the grievance. The Tennessee Department of Corrections may claim an extension of time to respond, up to 70 days, if the normal time period for response is insufficient to make an appropriate decision.

115.52(g): In accordance with Tennessee Department of Corrections Index 501.01 (page 7), 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.

The auditor interviewed the Grievance Coordinator who is the designee person for both West Tennessee State Penitentiary and Women's Therapeutic Residential Center.

She explained the grievance process as noted in Policy #501.01, Inmate Grievance Procedures and produced her grievance records for auditor's review. She advised there were four (4) grievances filed/concluded within the last 12 months related to sexual abuse/sexual harassment. A copy of each grievance was provided to the auditor. Auditor's review of these grievances observed they were processed in accordance with the agency policy, and according to the specified time frames. Only one grievance of the four met the definition of a sexual abuse allegation and it was forwarded the same day of report to the facility investigator and was subsequently unfounded following an investigation. This grievance was processed according to established procedures including the inmate's appeal, and a final decision was reached within 90 days after being filed. The facility reports there were no grievances filed where the agency requested an extension of the 90-day period to respond and no grievances alleging sexual abuse filed by inmate in the past 12 months in which the inmate declined third-party assistance. West Tennessee State Penitentiary reports there were no emergency grievances filed in the past 12 months alleging sexual abuse. Inmates interviewed were aware of how to access the grievance process and know they can report sexual abuse and sexual harassment through this process.

Random interviews with the inmate population confirmed their knowledge of the availability to report PREA allegations through the grievance process. The auditor observed mailboxes identified as "Grievance" in all housing units for the issuing of grievances. Per an interview with the Grievance Staff, the grievance boxes are checked Monday - Friday just as all outgoing mail. Inmate grievances procedures are noted in the WTSP Inmate Rules and Regulations Handbook and are posted on the PREA posters. Grievance boxes are available in all housing units for inmates to submit.

The auditor interviewed the following individuals to determine compliance:

- Random / Targeted inmates
- Grievance Officer
- Associate Warden / Facility PREA Manager
- Random Staff
- Institutional Investigator

Based on the review of policies, documents, facility walkthrough, and interviews, the

	facility has demonstrated compliance with all the provisions of this standard.
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115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART • TDOC MOU with Shelby County Crime Victim and Rape Center • WTSP Rules and Regulations Handbook in English and Spanish • Posted Memorandums (PREA Correspondence memo) • Posting of Hotline Numbers <p>115.53 (a) TDOC Index 502.06 (page 20) and TDOC Index 502.06.3; details the agency’s commitment to compliance. The agency has entered a Memorandum of Understanding with the Shelby County Crime Victim Rape Crisis Center which agrees to provide confidential outside victim advocacies services to the inmates at West Tennessee State Penitentiary. The mailing address and telephone number for this agency are made available to all inmates at the facility. Such information is given to inmate/detainee during orientation. West Tennessee Detention Facility enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. This was confirmed during an interview with the representative from the Shelby County Crime Victim Rape Crisis Center). The services of these victim advocates have been requested and used by the inmates during this audit cycle, verified by phone call to a representative of SCCVPC. The auditor observed “Break the silence.” posters throughout the facility; the posters not only had reporting procedures but included a summation of Victim Support Services with contact numbers and address. Shelby County Crime Victim Rape Crisis has TDD capability. Information is also listed on the TDOC “Break the Silence” brochure that each inmate receives during the intake process; this brochure is printed in both English and Spanish. Therefore, the facility demonstrated compliance with this part of the standard during this audit.</p> <p>115.53 (b) West Tennessee State Penitentiary informs 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. The auditor did test the phone system while on-site.</p> <p>Inmates are allowed confidential correspondence with Shelby County Crime Victim Rape Crisis Center. Outgoing mail to the SCCVRCC is allowed to be sent sealed and is</p>

	<p>not opened and read. Auditor reviewed memorandum from the Warden designating any incoming mail to an inmate from Shelby County Rape Crisis Center will be handled in the same manner as legal mail (confidential). The auditor interviewed mailroom staff and observed mailroom processes during the facility tour. Any mail handled in this manner is documented in the designated logbook.</p> <p>Therefore, the facility demonstrated compliance with this part of the standard during this audit. Tennessee Department of Corrections Index 502.06.3 (page 6) covers the above information.</p> <p>115.53(c): The Tennessee Department of Corrections shall attain memoranda of understanding or other agreements with community services providers that are able to provide inmates with confidential emotional support services related to sexual abuse. Memoranda of Understanding are to be approved by the Tennessee Department of Corrections General Counsel. Tennessee Department of Corrections and Shelby County Crime Victim Rape Crisis Center entered a Memorandum of Understanding for victim advocacy services to be provided at West Tennessee State Penitentiary. The offender handbook, given to each inmate upon arrival West Tennessee State Penitentiary provides the following information on page 16: To report incident of sexual abuse to an outside resource, you may call *9555. This call will be confidential, and the Tennessee Department of Corrections will not record the call. This call will be answered by Shelby County Rape Crisis Center, 1750 Madison Avenue, Memphis, TN 38104. The Shelby County Rape Crisis Center also offers victim advocacy services. This is printed and provided in both English and Spanish.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Associate Warden / Facility PREA Manager • Rape Crisis employee • State PREA Coordinator • Random Staff • Random / Targeted Inmates <p>Inmates interviewed indicated they are aware of the advocacy services available and how to access them. Auditor's analysis of information gathered through conversation with Shelby County Rape Crisis Center, interviews with Associate Warden / Facility PREA Compliance, Manager. State PREA Coordinator, interviews with inmates, and review of agency policies and the MOU between Tennessee Department of Corrections and Shelby County Crime Victim Rape Crisis Center finds West Tennessee State Penitentiary meets provisions of this standard.</p>
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115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

The auditor reviewed the following documentation to determine compliance:

- WTSP Completed Pre-Audit Questionnaire (PAQ)
- TDOC Index 506.06.2 PREA Allegations, Investigations, and SART
- WTSP Inmate Rules and Regulation Handbook
- Inmate Bulletin Board Notices 5. TDOC PREA Pamphlets
- TDOC website
- Third-Party Reported PREA Case Files
- Inmate Tablets with PREA Training
- PREA memos

115.54 (a)Tennessee Department of Corrections Index 502.06.2 (page19); details the agency's commitment to compliance. The agency provides multiple methods for receiving third-party reports of sexual abuse and sexual harassment; to include, tell friends and family members who may call the facility or mail a letter to report sexual abuse. Third Party Reporting procedures are posted on the agency's website, the Tennessee Department of Corrections.

Inmates are advised of third-party reporting on posters that are throughout the facility. The same information is also on the Break the silence brochure that each inmate receives during the intake process; this is recorded on the facility issued items receipt in intake. The information is available on TDOC website explains how to report sexual abuse and sexual harassment on behalf of an inmate. The facility takes all reports seriously no matter how they are received and investigates each reported incident.

The WTSP Inmate Rules and Regulations Handbook, TDOC PREA pamphlets, and bulletin board notices, identifies resources accessible to the inmate population to report allegations of sexual abuse and/or sexual harassment to include *9555. This number is designated as the contact number for The Shelby County Crime Victim Rape Crisis Center, 1750 Madison Ave, Memphis, TN 38104. This call will be confidential and TDOC will not record the call.

The auditor reviewed the agency's website at www.tn.gov/correction/sp/prison-rape-elimination-act.html. The website identifies the Agency's Response to Sexual Assault or Sexual Misconduct Allegations that includes: Employee have a duty to report all rumors and allegations of sexual abuse through the chain of command; Institution Sexual Assault Response Team (SART) ensure alleged victims of sexual abuse receive immediate medical attention; The facility SART ensure alleged victims of sexual abuse receive a mental health evaluation; and All allegations of sexual abuse will be reported to Internal Investigations for investigation. In addition to the facility PREA Tip lines, TDOC has established a Tip line for third-party reporting of sexual abuse and sexual assault at (615) 253-8178.

During the past 12 months, West Tennessee State Penitentiary has received one third party report of sexual abuse; the incident was investigated, and the final disposition was "unsubstantiated".

	<p>Formal and informal interviews with inmates revealed most were aware that a third-party such as a family member, friend, or another inmate could report a PREA allegation on their behalf.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Random / Targeted inmates • Crisis center employee • Institutional Investigator • Associate Warden / Facility PREA Compliance Manager <p>This was confirmed during interviews with the Institutional Investigator and Associate Warden / Facility PREA Manager. This was also corroborated by reviewing the facility's investigation files. Therefore, the facility demonstrated compliance with this part of the standard during this audit.</p>
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115.61	Staff and agency reporting duties
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART • Office of General Counsel Department of Human Service Inter-Office Correspondence • PREA Investigative Case Files • Tennessee Code Ann. 71- 6 101- 71- 6103 • Photos of inmate mailboxes & Writing Paper <p>115.61(a): in accordance with TDOC Index 502.06.2, (page 2) 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 Tennessee Department of Corrections, retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p> <p>Interviews with staff indicated they are aware of their responsibility and duty to report any and all knowledge of PREA allegations. Staff carry a PREA refresher card on their badge with reporting guidelines. Interviews with 23 random staff indicated they would immediately report the incident to the Shift Commander and complete a documented report of their awareness to include from third-party as soon as possible and always prior to departing from their shift. Non-security staff identified they would report the information to their direct supervisor, the shift commander and/or the Associate</p>

Warden / Facility PREA Compliance Manager. The review of the twenty- three (23) completed PREA investigation case files confirmed documentation was included on how the allegation was reported to include written statements submitted by the reporting staff as applicable. All staff interviewed confirmed training and knowledge of this policy and procedure.

115.61(b): In accordance with TDOC Index 502.06.2 (page2), 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. Interviews with staff indicated a thorough knowledge of the confidentiality required with sexual abuse allegations and understanding that they should be discussed only on a need-to-know basis and as dictated by the Tennessee Department of Corrections policy.

115.61(c): In accordance with TDOC Index 502.06.2 (page 2) and 502.06.(page13), unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse as outlined in subsection 115.61(a) above, and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services. Interviews with medical and mental health staff indicate understanding they are required to report sexual abuse, and that informed consent is obtained from the inmate explaining limits to confidentiality at time of treatment. The auditor concluded this practice is based on information obtained during interviews with mental health and medical practitioners. When needed, this written consent is obtained on form CR-1885, Authorization for Release of Health Services Information.

All staff carries a First Responder Duties card. This card outlines the immediate steps that should be taken if an inmate/detainee reports sexual abuse. During the past 12 months there has not been any incident requiring medical nor mental health practitioners to complete this procedure. This was confirmed during interviews with Medical and Mental Health staff.

115.61 (d) West Tennessee State Penitentiary does not house juveniles/youthful offenders. This was confirmed by the State PREA Coordinator, Warden, and Assistant Warden / Facility PREA Manager. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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. The auditor used a variety of scenarios regarding staff awareness of PREA allegations to include those reported via a third party within the community, an alleged victim, and/or an anonymous phone call during the interview process. All staff immediately responded that they would report the allegation to their immediate supervisor, Shift Commander, OIC Institution Investigator, and/or the Associate Warden / Facility PREA Compliance Manager. Per the OIC Institution Investigator and OIC Special Agent, all reported PREA allegations are conducted in the same manner regardless of how the incident was reported. A review of the 20 PREA investigative case files, confirmed allegations that were

	<p>reported via the PREA Hotline, through a third party, via the grievance process, and/or directly by the alleged victim was thoroughly investigated and all available avenues of collecting evidence to determine the investigative findings were reviewed.</p> <p>115.61(e): In accordance with Tennessee Department of Corrections Policy #502.06.2, staff are directed to report all allegations of sexual abuse and sexual harassment to the facilities designated investigators. This includes third-party, and anonymous reports as further discussed in 115.51(c) and 115.54(a).</p> <p>The auditors used a variety of scenarios regarding staff awareness of PREA allegations to include those reported via a third party within the community, an alleged victim, and/or an anonymous phone call during the interview process. All staff immediately responded that they would report the allegation to their immediate supervisor, Shift Commander, OIC Institution Investigator, and/or the Associate Warden / Facility PREA Compliance Manager. Per the OIC Institution Investigator and OIC Special Agent, all reported PREA allegations are conducted in the same manner regardless of how the incident was reported. A review of the 20 PREA investigative case files, confirmed allegations that were reported via the PREA Hotline, through a third party, via the grievance process, and/or directly by the alleged victim was thoroughly investigated and all available avenues of collecting evidence to determine the investigative findings were reviewed.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Associate Warden / Facility PREA Compliance Manager • Warden • TDOC State-wide PREA Coordinator • Random staff • OIC Institution Investigator • Medical and Mental Health Staff <p>Based on the review of policies, documents, facility walkthrough, and interviews, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART • TDOC Index 502.06 Prison Rape Elimination Act (PREA) • PREA Investigative Case Files

- Associate Warden / Facility PREA Manager memo

115.62(a): In accordance with the Tennessee Department of Corrections Policy #502.06.2 (Page 3 and 4), staff are directed to take immediate action to protect an inmate when information is received that an inmate is subject to a substantial risk of imminent sexual abuse. In the past 12 months, the number of times the facility determined that an inmate was subject to a substantial risk of imminent sexual abuse is zero (0), as reported by West Tennessee State Penitentiary. An inmate who reports that they are in imminent danger will be placed in protective custody while the allegation is investigated. If the report of imminent danger involved fear of sexual abuse the investigation would be included on the PREA allegation log. When an inmate is placed on protective custody it is noted on the shift report; shift reports during the audit cycle reflected no placements in protective custody for imminent danger of sexual abuse.

Policy and staff training requires all staff to take immediate action and staff acknowledged during their interviews the requirement of all staff to protect inmates when it is learned that an inmate at the West Tennessee State Penitentiary is subject to a substantial risk of imminent sexual abuse. Interviews with Warden and 23 out of 23 Random Staff corroborated this practice. Staff, including contractors and volunteers are issued and carry a PREA Refresher Training card on their badge which lists the steps to take to protect an inmate. An interview with the Institutional Investigator and a review of PREA Investigative files.

The interview with Warden and, State PREA Coordinator indicated that the Tennessee Department of Corrections has an immediate response system in place for responding to reports of imminent sexual abuse and that sexual safety is taken seriously by the agency. The first step is to separate the at-risk individual from the potential risk and protect them from harm. There are specific areas of the facility that are designated as protective custody. A protective custody investigation will be initiated, and any issues identified. The offender will remain housed in PC until the risk is eliminated by a transfer of the potential threat or until the offender expresses that they are no longer fearful and want to return to the general population.

The auditor interviewed the following staff members to determine compliance:

- Institutional Investigator
- Warden
- Associate Warden / Facility PREA Compliance Manager
- Random Staff
- Segregated Housing Supervisor

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

Auditor Overall Determination: Meets Standard

Auditor Discussion

The auditor reviewed the following documentation to determine compliance:

- WTSP Completed Pre-Audit Questionnaire (PAQ)
- TDOC Index 502.06.2 PREA Allegations, Investigations, and SART
- PREA Investigative Case Files

115.63(a-c): In accordance with the Tennessee Department of Corrections Policy #502.06.2, (page 9) upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Warden/Superintendent of the facility that received the allegation shall notify the head of the facility where the alleged abuse occurred. This notification shall be made as soon as possible, but no later than 72 hours after receiving the allegation. The facility shall document that it has provided such notification. West Tennessee State Penitentiary received no notifications in the past 12 months that an inmate was abused while confined at another facility.

In interviews with the Warden and Associate Warden / Facility PREA Compliance Manager, has been identified as the Warden's designee as authorized to make and receive reported sexual abuse and/sexual harassment notifications to and from other confinement facilities. The Associate Warden /Facility PREA Compliance Manager indicated all notification would be made immediately to the inmate's previous confinement facility upon reporting the allegation to staff at WTSP.

Per the Agency Head Designee, the designated point of contact is the State-wide PREA Coordinator who in turn will notify Warden, the Facility PREA Compliance Manager, and the OIC Institution Investigator. She added the TDOC routinely receive referrals from outside Rape Crisis Centers.

115.63(d): In accordance with Tennessee Department of Corrections Policy #502.06.2, the Warden/Superintendent who receives a notification alleging an inmate was sexually abused while confined at his/her facility shall ensure that the allegation is investigated in accordance with Tennessee Department of Corrections policy. West Tennessee State Penitentiary reports receiving no allegations in the past 12 months that an inmate was abused while confined to this facility.

The auditor interviewed the following staff members:

- Warden
- Associate Warden / Facility PREA Compliance Manager
- TDOC Agency Head Designee
- OIC Institution Investigator

Based on the review of policies, documents, and interviews, 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>The auditor reviewed the following documentation:</p> <ul style="list-style-type: none"> • Tennessee Department of Corrections Policy #502.06.2 • PREA Investigative Files • PREA Response Cards <p>115.64(a): In accordance with Tennessee Department of Corrections Policy #502.06.2, the first security staff responder shall instruct the alleged victim and abuser not to wash their hands, shower, brush teeth, change clothes, urinate, defecate, drink or eat. Security shall separate the alleged victim and abuser and preserve and protect any crime scene until appropriate steps can be taken to collect any evidence. Security staff shall notify SART of the alleged incident. If the incident occurred within a 72-hour time period of reporting, the security shift supervisor who is notified of the allegation shall initiate the Sexual Abuse Incident Check Sheet, CR-3776.</p> <p>Of the three (3) sexual abuse allegations reported, security staff were the first to respond in all three (3) cases. The auditor's case file review indicated offender was separated from the aggressor when appropriate, preservation of a crime scene and physical evidence was not secured/obtained in one (1) due to the nature of the allegations or the timeframe with which the incidents were reported. The other case evidence was collected and waiting on DNA results.</p> <p>15.64(b): In accordance with Tennessee Department of Corrections Policy #502.06.2, if the first staff responder is not a security staff member, he/she is required to instruct the alleged victim not to take any actions that could destroy physical evidence and then immediately notify the shift commander. No abuse allegations were responded to by non-security staff during the audit period. Interviews with non-security staff indicate they are well trained in providing the appropriate response. Volunteers and contract staff observed in their possession a PREA refresher card attached to their identification card that included duties of a first responder.</p> <p>The auditor reviewed 20 PREA investigative case files to include 3 reported allegations of sexual abuse. In one of these incidents the alleged victim had previously separated themselves from the alleged aggressor. This case is waiting on DNA results. The victim could not be interviewed due to being house at another institution.</p> <p>A contractor member on another inmate allegation of sexual abuse was suspected and investigated. During the interview process with the OIC Institution Investigator, the inmate refused to provide information regarding his allegation of sexual abuse, but the female contractor staff admitted to the abuse (Oral Sex). The inmate declined medical services. The investigative finding was determined to be</p>

	<p>substantiated and turned over to the District Attorney’s office. This case is waiting for a Grand Jury indictment.</p> <p>The auditor interviewed the following staff members to determine compliance:</p> <ul style="list-style-type: none"> • Institutional Investigator • Random staff • Associate Warden / Facility PREA Compliance Manager <p>Based on the review of TDOC policies, PREA investigations, interviews with random staff, and inmates who reported sexual abuse allegations, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.65 Coordinated response	
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • TDOC Index 502.06.2 Prison Rape Elimination Act (PREA) Allegations, Investigations, And Sexual Abuse Response Teams (SART) • WTSP Policy and Procedures 502.06.2-1 Prison Rape Elimination Act (PREA) Allegations, Investigations, And Sexual Abuse Response • SART Meeting notes • SART Appointment letters from Regional Office <p>115.65(a): In accordance with TDOC Index 502.06.2 (pages 5 and 9), West Tennessee State Penitentiary has developed a written institutional plan to coordinate actions among staff and first responders, medical and mental health practitioners, investigators, and facility leadership in response to an incident of sexual abuse and it is documented through Policy 502.06.2-1 (pages 1- 3) and dated March 12, 2024. This document combined with the PREA Allegation Documentation Checklist provides for a sufficient coordinated response plan.</p> <p>The plan clearly defines the roles and responsibilities of each person involved and the procedures to be followed in detail. Roles addressed include the First Responder, SART members, Security Staff, Mental Health Representative, Shift Supervisor, and the Institutional Investigator. Interviews with SART members confirmed their knowledge of the response plan.</p> <p>The auditor interviewed the following staff members to determine compliance:</p> <ul style="list-style-type: none"> • Warden

	<ul style="list-style-type: none"> • Associate Warden / Facility PREA Coordinator • Institutional Investigator • Security Staff • Medical Administrator • Mental Health Administrator <p>Based on the review of policies, documents, and interviews, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • Tennessee Code 50-1-207 <p>As per Tennessee Code Annotated 50-1-207. Prohibition against requiring any employer or employee to waive their rights under the National Labor Relations Act or requiring acceptance or agreement to any provisions that are mandatory or non-mandatory subjects of collective bargaining under federal labor laws.</p> <p>No law, regulation, or ordinance shall require, in whole or in part, an employer or multi-employer association to accept or otherwise agree to any provisions that are mandatory or non-mandatory subjects of collective bargaining under federal labor laws, including but not limited to, any limitations on an employer or multi-employer association's right to engage in collective bargaining with a labor organization, to lock out employees, or to operate during a work stoppage, provided that this subsection shall not invalidate or otherwise restrict the state from requiring the use of project labor agreements to the extent permissible under federal labor laws.</p> <p>The auditor reviewed the code and saw no language exists that prohibits the agency's ability to remove alleged staff sexual abusers from contact with any inmate pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.</p> <p>The auditor interviewed the following staff members to determine compliance:</p> <ul style="list-style-type: none"> • State PREA Coordinator • Warden • Agency Head

	Based on the review of the codes, and interviews, the facility has demonstrated compliance with all the provisions of this standard.
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115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART • Retaliation Monitoring forms • PREA Investigations • Sexual Abuse Response Team (SART) memo naming staff responsible for monitoring <p>115.67(a): The agency has 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 through Tennessee Department of Corrections Index 502.06.2. Inmates and staff who are involved in reporting sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation by other inmates or staff. Appointed members of the facility SART shall monitor staff and inmates for protection from retaliation utilizing PREA Retaliation Review (Inmate) for inmates, CR-3963, and PREA Retaliation Review (Staff), CR-3092, for staff. The Associate Warden / Facility PREA Coordinator and Facility Compliance Manager have been designated by the Warden to conduct staff and inmate retaliation monitoring at WTSP.</p> <p>115.67(b): In accordance with Tennessee Department of Corrections Index 502.06.2, West Tennessee State Penitentiary 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.</p> <p>Per an interview with the Warden, any retaliation towards a staff member and/or inmate is prohibited and would be immediately addressed and result in appropriate disciplinary action for inmates and staff in addition to termination for staff. Areas reviewed in determining acts of retaliation toward staff would be denial of requested leave, unusual change in shift assignments, scheduled days off, post assignment changes, discipline actions and write-ups. Regarding the inmate population, unjustifiable work assignment changes, changes in housing and/or bed assignments, disciplinary write-ups, and removal from approved programs by staff, and/or actions</p>

	<p>committed by other inmates to include being assaulted and/or loss of property. If there was an incident in which retaliation was suspected, he would ensure immediate information gathering by facility investigator and separation would be authorized, as necessary to protect the alleged victim to include transfer of the aggressor and/or victim if deemed appropriate.</p> <p>Records review showed 3 inmates had been under retaliation monitoring. Associate Warden conducted the Retaliation Monitor, confirming this practice. The Retaliation Monitor stated that one inmate had received retaliation monitoring past 90 days.</p> <p>115.67(c)(d): In accordance with the Tennessee Department of Corrections Policy #502.06.2, 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. SART members shall act promptly to remedy any such retaliation. Monitoring shall continue beyond 90 days if the initial monitoring indicates a continuing need. Items to be monitored include but are not limited to the following: 1) inmate disciplinary reports; b) inmate housing or programming changes; 3) negative performance reviews or reassignment of staff. The Department's obligation to monitor shall terminate if the agency determines that the allegation is unfounded. Facility reports there have been no incidents of retaliation in the past 12 months.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Associate Warden / Facility PREA Coordinator / staff charged with retaliation monitoring • Facility PREA Compliance Manager • Warden • State PREA Coordinator • Targeted Inmates alleging abuse <p>Based on the review of documentation, and interviews, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART

	<ul style="list-style-type: none"> • Warden's Standard memo • Segregated Housing Log <p>115.68(a): As per Tennessee Department of Corrections Index 502.06.2, any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse is subject to the requirements of 115.43. Protective Services Investigative Routing, CR-3241, shall clearly indicate the basis of concern for the inmate's safety and the reason why no alternative means of separation can be arranged. Inmates at high risk for sexual victimization may be placed in restrictive housing only after an assessment of all available alternatives has been made, and then only until an alternative means of separation from likely alleged abuser(s) can be arranged. This housing assignment shall not ordinarily exceed a period of 30 days. The facility reports there have been no inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment, nor for longer than 30 days while awaiting alternative placement.</p> <p>Interviews with the Warden and segregation staff revealed that involuntary segregation has not been used for this purpose in the past 12 months; therefore, there were not any subsequent monitoring documentation. The Associate Warden / Facility PREA Coordinator stated that if separation was required to protect the offender, they would be placed in segregation for no longer than 72 hours. This policy was corroborated during interviews with the PREA Manager and Staff working in segregation units.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Warden • Associate Warden / Facility PREA Coordinator • Segregated housing staff <p>Based on the review of policies, documents, facility walkthrough, and interviews, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 107.01 Office of Investigations and Conduct: Unit Authority, Responsibility, Personnel- Selection and Training.

- TDOC Index 502.06.2 Prison Rape Elimination Act (PREA), Allegations, Investigations, And Sexual Abuse Response Teams (SART)
- PREA Investigative Files

115.71(a): Tennessee Department of Corrections Index 107.01, establish the Office of Investigations and Compliance as the authorized body to conduct investigations for the agency. In accordance with the TDOC Index 502.06.2, SART investigations shall be conducted within 72 hours of receiving the allegation. All allegations, including third party and anonymous reports, shall be investigated promptly, thoroughly, and objectively. According to TDOC Index 502.06.2 it establishes policy that West Tennessee State Penitentiary will investigate all PREA sexual abuse and sexual harassment allegations in a timely, efficient, and confidential manner in accordance with federal guidelines. The interview with State PREA Coordinator and Investigations Unit Special Agent in Charge determined that it is normal practice that all allegations are responded to within 24 hours of being reported. Policy is written to allot time if an allegation takes place over the weekend and to allow for a specially trained investigator to handle the investigation. The auditor's review of the investigative files revealed that investigations for all allegations began within 24 hours.

A total of 20 (3 abuse / 17 harassment) allegations were received at West Tennessee State Penitentiary in the past 12 months; investigations resulted in the following dispositions: 2-Substantiated, 2-Unsubstantiated, and 15 Unfounded. There is one (1) case on-going and awaiting DNA results. The auditor's review of the case files for the past 12 months indicates investigations appear to be conducted promptly, thoroughly, and objectively.

115.71(b): In accordance with the Tennessee Department of Corrections Index 502.06.2, all allegations, including third party and anonymous reports shall be investigated by specially trained facility investigators. The auditor's case file review indicates investigations are conducted by specially trained investigators, as also discussed in Standard 115.34.

115.71(c): In accordance with TDOC Index 502.06.2, SART investigators shall contact Investigations Unit Special Agents immediately when circumstances warrant further actions pursuant to criminal findings. Investigative Unit 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. West Tennessee State Penitentiary Index 502.06.2 establishes that the crime scene will be preserved and protected until appropriate steps can be taken to collect any evidence, or until the Investigative Unit Special Agents arrive to gather evidence.

115.71(d): In accordance with Tennessee Department of Corrections Index 502.06.2, 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. Interview with Investigative Unit investigator revealed he has not had a case for West Tennessee State Penitentiary where required to conduct a compelled interview; he maintains a positive relationship and consults regularly with the DA and ADA for moving cases forward. All cases of sexual abuse of a criminal nature will be presented to the DA for prosecution by the investigator.

115.71(e): In accordance with Tennessee Department of Corrections Index 502.06.2, 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 an 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. Interview with Investigative Unit investigator revealed polygraph examinations are never used as a condition for proceeding with a sexual abuse investigation and credibility of a victim, suspect, or witness is not based on their status as inmate or staff. The auditor's review of the case files indicate that the investigations appear to be conducted with impartiality.

115.71(f): In accordance with the Tennessee Department of Corrections Index 502.06.2, 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 physical and testimonial evidence, the reasoning behind credibility assessments, and investigative findings.

The allegations referred to the Tennessee Department of Corrections Investigative Unit, the Warden/Superintendent shall convene a PREA review within 48 to 72 hours after the incident. The reviewers shall consist of Warden/Superintendent, Associate Warden of Treatment/Assistant Warden of Programs/Deputy Superintendent, facility investigator, Investigative Unit investigator, and the State PREA Coordinator. Sexual Abuse Incident Check Sheet, CR-3776, shall be utilized to document this review. An interview with the Facility PREA Coordinator/Associate Warden, Warden, State PREA Coordinator, and facility investigator concluded that staff actions are reviewed for each abuse case to determine any contributing factors and if determined, will be preceded by a separate and documented investigation into these actions. WTSP abuse cases reviewed, no staff actions or inactions were noted to have contributed to the incidents. Investigative findings are documented along with a description of the evidence and basis for disposition into the agency's database by the facility investigator.

15.71(g): In accordance with TDOC Index 502.06.2, 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. Auditor's review of case files determined that the investigative findings are documented along with a description of the evidence and basis for disposition into the TOMIS database by the facility investigator.

115.71(h): In accordance with TDOC Index 502.06.2, substantiated allegations of conduct that appear to be criminal shall be referred for prosecution. One (1) of the (twenty) 20 cases reported in the past 12 months were criminal in nature, therefore

	<p>one (1) case was referred to for prosecution.</p> <p>115.71(i): In accordance with the Tennessee Department of Corrections Index 502.06.2, criminal investigative records shall be retained for as long as the alleged abuser is incarcerated or employed by the Department, plus five additional years.</p> <p>115.71(j): In accordance with TDOC Index 502.06.2, 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.</p> <p>115.71(k): This standard is not applicable since the agency is responsible for investigating and outside agency investigators are not used.</p> <p>The auditor interviewed the facility investigator and the Office of Investigations and Compliance Investigative Unit Special Agent in Charge. Based on the information collected from both interviews, auditor finds that these two investigators work well and closely together to ensure complete, accurate, timely, and objective investigations are conducted on every sexual abuse or sexual harassment allegations. The Warden, Facility PREA Coordinator/Associate Warden and State PREA Coordinator also engage with the investigators to assist when/where necessary. West Tennessee State Penitentiary reports there was one (1) substantiated allegation of conduct that appears to be criminal that was referred to prosecution. The Special Agent in Charge and Facility Investigator interviews, review of relevant agency policy and auditor's review of case files provided auditor demonstrated sufficient evidence for auditor to find West Tennessee State Penitentiary meets all provisions of this standard.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Warden • Associate Warden / Facility PREA Coordinator • State PREA Coordinator • Special Agent/ Criminal Investigator • Institutional Investigator <p>Based on the review of policies, documents, and interviews, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor reviewed the following documentation to determine compliance:

	<ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART • PREA Investigation Case Files <p>115.72(a): In accordance with the Tennessee Department of Corrections Index 502.06.2 (page 7), the Department shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse are substantiated. Based on interviews with the facility investigator and Investigative Unit investigator along with information obtained from auditor's review of the twenty (20) case files and subsequent investigations, the auditor concludes West Tennessee State Penitentiary has sufficiently demonstrated preponderance of evidence is the standard used to substantiate allegations.</p> <p>All PREA allegations begin as potential criminal investigations; if no criminality occurred, the allegation will then be treated as a potential administrative investigation. In the past 12 months, the West Tennessee State Penitentiary has had (20) PREA investigations, three (3) abuse, seventeen (17) harassment; fifteen (15) unfounded, two (2) unsubstantiated, two (2) substantiated. One (1) investigation is on- going awaiting DNA test results. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. The interview with the Institutional Investigator and Special Agent corroborated this practice.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Institutional Investigator • Special Agent <p>Based on the review of policies, documents, and interviews, the facility has demonstrated compliance with all the provisions of this standard.</p>
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115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART • TDOC PREA Status Notification CR-3984 <p>115.73 (a): In accordance with the Tennessee Department of Corrections Index 502.06.2 (pages 7 and 8), following an investigation into an inmate's allegation that he or she suffered sexual abuse in a facility, the Department shall inform the inmate</p>

in writing: 1) as to whether the allegation has been determined to be substantiated or unsubstantiated or unfounded. Auditor's review of the case files indicated the victim/ alleged victim was notified in writing of the disposition of the case at the conclusion of the investigation using form CR-3984 by the SART and a signature is obtained from the inmate.

115.73(b): This subparagraph to this standard is not applicable to West Tennessee State Penitentiary as all cases of sexual abuse would be investigated by the Agency Investigative Unit, therefore possessing all relevant information needed to inform the inmate.

115.73(c): In accordance with TDOC 502.06.2 (page 8), following an inmate's allegation that a staff member has committed sexual abuse, the Department shall subsequently inform the inmate in writing whenever: 1) the staff member is no longer posted within the inmate's unit; 2) the staff member is no longer employed at the facility; 3) the staff member has been indicted on a charge related to sexual abuse within the facility; 4) the staff member has been convicted on a charge related to sexual abuse within the facility. Auditor file review found there has been one qualifying incident requiring this action within the past 12 months. The CR-3984 form was attached to the investigative file. The file showed the contractor was terminated and criminally charged.

115.73(d): In accordance with Tennessee Department of Corrections Policy #502.06.2 (page 7 and 8), 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: 1) whenever the facility learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; 2) when the alleged abuser has been convicted on a charge related to sexual abuse within the facility. The auditor case file review found there have been three (3) qualifying incidents requiring this action within the past 12 months. The CR-3984 forms were attached to the investigative files. Two (2) of the cases were unfounded and the other was substantiated against the staff member. The Staff member was terminated and criminally charged. Per the review of the completed PREA investigative case files and interview with the OIC Institution Investigator, there have been 0 Substantiated allegations of inmate-on-inmate sexual abuse where the aggressor has been indicated pending criminal charges.

However, an interview with one inmate who reported sexual abuse allegations that were not determined as Substantiated, acknowledged they were informed of the investigative findings by staff.

115.73(e): In accordance with the Tennessee Department of Corrections Index 502.06.2 (pages 7 and 8), all notifications referenced in subsections (a)-(d) above shall be done in writing using Inmate PREA Allegation Status Notification, CR-3984, and the inmate shall acknowledge by signature that he/she has received such notification. The notification shall become part of the allegation file. If the inmate refuses to sign the acknowledgement, two staff members shall sign and date that the inmate has refused to acknowledge notification. The auditor's review of the case files

	<p>found the victim/alleged victim was notified in writing of the disposition of the case at the conclusion of the investigation using form CR-3984 by the SART and a signature is obtained from the inmate. One (1) inmate did refuse to sign, but two (2) staff members did witness and signed the form.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Targeted inmate (Alleged sexual abuse) • OIC Institution Investigator and OIC Special Agent • Warden • Associate Warden / Facility PREA Coordinator <p>Based on the auditor's review of policies, review of investigative case files, presentation of PREA Allegation Status Notifications for each of the twenty (20} PREA investigations, documentation of inmate's signatures and/or staff witness documenting informing the inmate, interview with an inmate who reported sexual abuse allegations, Warden, Associate Warden / Facility PREA Coordinator and OIC Investigative staff, it is concluded that WTSP has demonstrated compliance with all the provisions of this standard.</p>
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115.76	Disciplinary sanctions for staff
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART • TDOC Index 302.08 Code of Conduct and Oath of Correction Department Employees • PREA Investigative Case Files <p>115.76(a): In accordance with Tennessee Department of Corrections Index 502.06.2 (page 8), and TDOC Index 302.08 (page 2) staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse, sexual harassment, or PREA policies.</p> <p>Per interview with the Warden and Associate Warden / Facility PREA Coordinator, employees are disciplined based on the outcome of sexual misconduct investigation. The facility would use progressive discipline for violations of agency policies relating to sexual abuse or sexual harassment (other than 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. Interviews further conclude that the department's</p>

	<p>stance toward staff abuse on inmates is taken very seriously and will not be tolerated.</p> <p>115.76(b): In accordance with Tennessee Department of Corrections Policy Index 502.06.2 (page 8), termination shall be the presumptive disciplinary sanction for staff who are found to have engaged in sexual abuse against an inmate.</p> <p>The facility reports no staff from the facility have violated agency sexual abuse or sexual harassment policies in the past 12 months; therefore, none have been disciplined or terminated for this reason. Interviews conducted with Agency Head Designee, State PREA Coordinator, Warden, Investigative Unit Investigator, and Human Resources indicate there have been no actionable staff incidents of sexual abuse within the past 12 months.</p> <p>115.76(c): In accordance with Tennessee Department of Corrections Index 502.06.2, sanctions for staff determined to have violated agency sexual abuse, sexual harassment, or PREA policies, 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.</p> <p>115.76(d): In accordance with Tennessee Department of Corrections Index 502.06.2, 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. The WTSP PAQ and interviews with the Warden and Associate Warden / Facility PREA Coordinator, and Investigator shows no employees were investigated by TDOC Special Investigator or criminally charged.</p> <p>The auditor interviewed the following staff members to determine compliance:</p> <ul style="list-style-type: none"> • Warden • Associate Warden / Facility PREA Coordinator • OIC Investigator • Agency Head Designee <p>Based on the auditor's review of policies, review of investigative case files involving staff sexual abuse, interview with Warden, Associate Warden / Facility PREA Coordinator and OIC Investigative staff, it is concluded that WTSP has demonstrated compliance with all the provisions of this standard.</p>
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115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART • TDOC Index 302.08 Code of Conduct and Oath of Correction Department Employees • PREA Investigative Case Files • Termination Letter • Revoke Gate Pass with contractor picture <p>115.77(a): In accordance with the Tennessee Department of Corrections Index 502.06.2 (page 9), and TDOC Index 302.08 (pages 2 and 3) any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmate and shall be reported to the law enforcement agencies, unless the activity was clearly non-criminal, and to any relevant licensing bodies.</p> <p>115.77(b): In accordance with TDOC Index 502.06.2 (page 9), any contractor or volunteer who has engaged in sexual abuse/sexual harassment of an inmate shall be prohibited from further contact with inmates.</p> <p>The PAQ identified one contractor disciplined for violation of agency sexual abuse or sexual harassment policies. This contractor was terminated and criminally charged. Interview with the State PREA Coordinator, Warden, Associate Warden / Facility PREA Coordinator and Human Resources confirmed the termination and criminal charges. The auditor reviewed the PREA Investigative file and interviewed the investigator.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • State PREA Coordinator • Warden • Human Resources • Associate Warden / Facility PREA Coordinator • Investigator <p>Auditor concludes West Tennessee State Penitentiary has demonstrated compliance with the provisions of this standard based on information from interviews indicated in narrative, the facility's adherence to Zero-Tolerance policy efforts, review of case files, and the swiftness that reports of sexual abuse and harassment are reported to investigators.</p>
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115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

The auditor reviewed the following documentation to determine compliance:

- WTSP Completed Pre-Audit Questionnaire (PAQ)
- TDOC Index 502.06.2 PREA Allegations, Investigations, and SART
- TDOC Prison Rape Elimination Act (PREA)
- Review of PREA Investigative Case Files

115.78(a): In accordance with Tennessee Department of Corrections Index 502.06.2 (page 8), inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

Per the WTSP PAQ, review of PREA Case Logs, and PREA investigative case files, and interview with the OIC Institution Investigator, there were 0 Substantiated investigations for reported for sexual abuse and/or sexual harassment during the 12-month review period.

115.78(b) & (c) TDOC Index 502.06.2 (page 8) 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. There were no Substantiated PREA reported allegations to compare disciplinary sanctions of inmates.

115.78(d) TDOC Index 502.06.2 (page 8), states, If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. Per an interview with Mental Health Administrator, she indicated mental health staff provide individual therapy services to inmates identified as an aggressor. Inmates have the option to accept and/or refuse to participate in the available services at any time.

115.78(e) TDOC Index 502.06.2 (page 8), states an inmate may be disciplined for sexual contact with staff only upon finding that the staff member did not consent to such contact. There were 0 inmate-inmate sexual abuse cases with an investigative finding of substantiated.

The auditor interviewed the Warden and Associate Warden / Facility PREA Coordinator. Both explained inmates who are determined to have committed sexual abuse are subject to sanctions under the disciplinary process at the facility level and if criminal charges were identified, criminal prosecution would be pursued.

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." An interview with the OIC Institution Investigator and review of the PREA

	<p>case files, indicated although the investigative findings determined some inmates reported false allegations of sexual abuse and/or sexual harassment, these inmates did not receive a disciplinary report.</p> <p>115.78(g) TDOC Index 502.06.2 (page 8), states, “Any prohibition on inmate-on-inmate sexual activity shall not consider consensual sexual activity to constitute sexual abuse.” Per interview with the Warden, and Associate Warden / Facility PREA Coordinator. The facility does not consider consensual sexual activity between inmates to be sexual abuse. There were no incidents reported of consensual sexual activity that was determined to constitute sexual abuse during the 12-month review period.</p> <p>The auditor interviewed the following staff members to determine compliance:</p> <ul style="list-style-type: none"> • Warden • Associate Warden / Facility PREA Coordinator • Mental Health Administrator • OIC Institution Investigator <p>Based on the auditor’s review of policies, review of investigative case files, and interviews with Warden, Associate Warden / Facility PREA Coordinator, Mental Health Administrator, and OIC Investigator, it is concluded that WTSP has demonstrated compliance with all the provisions of this standard.</p>
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115.81	Medical and mental health screenings; history of sexual abuse
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims • TDOC Index 113.84 Clinical Assessments, Mental Health Appraisals, and Psychological Testing • PREA Mental Health Referrals <p>115.81(a): In accordance with Tennessee Department of Corrections Index 502.06.3 (page 3), and TDOC Index 113.84 (page 4), if the screening process indicates than an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a referral to a medical and/or behavioral health provider within 14 days of the screening.</p>

An interview was conducted with two inmates that disclosed prior victimization during childhood, while in the community. Both inmates were seen by mental health within fourteen (14) days and confirmed the above practice. The PAQ indicated that 100% of inmates that reported prior sexual victimization or abusiveness were offered a follow-up meeting with a mental health provider.

115.81(b): In accordance with Tennessee Department of Corrections Index 502.06.3 (page 3), if the screening process indicates that an inmate 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.

The PAQ indicated that 100% of inmates that reported prior sexual victimization or abusiveness were offered a follow-up meeting with a mental health provider.

115.81(c): In accordance with Tennessee Department of Corrections Index 502.06.3, if the screening process indicates that any inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a referral to a medical and/or behavioral health provider within 14 days of the screening. West Tennessee State Penitentiary does not receive inmates directly from jails, only internal system transfers.

115.81(d): In accordance with TDOC Index 502.06.3 (page 4), 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 program assignments, or as otherwise required by Federal, State, and local law. Information obtained during interviews with medical and mental health practitioners provided evidence that information obtained of this nature is closely guarded and protected, only being shared, when necessary, as indicated in policy exceptions noted above.

Per interviews with medical, mental health staff and staff who conduct risk screening, all confirmed any information related to sexual victimization or abusiveness that occurred in an institution setting is strictly limited to the medical and mental health staff, the TDOC State-wide PREA Coordinator and the Chief Counselor as this information is strictly limited. The information is used to ensure the safety of inmates identified as prior victims from those identified as an aggressor. 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. The Job Placement Coordinator can only view an inmate's incompatibles for job placement.

115.81(e): In accordance with TDOC Index 502.06.3 (page 3), any information obtained by medical and behavioral health providers related to sexual victimization or abusiveness that occurred not in an institutional setting will only be reported after obtaining informed consent from the inmate. The auditor concluded this practice is in place, based on information obtained during interviews with mental health and medical practitioners. When needed, this written consent is obtained on form

	<p>CR-1885, Authorization for Release of Health Services Information.</p> <p>Interviews conducted with the Health Services Administrator, and Mental Health Administrator verified staff do obtain informed consent from inmates before reporting any knowledge or suspicion of sexual abuse that occurred prior to incarceration other than if the inmate is under the age of 18. They stated if the incident reported involved a minor, they are required by law to report.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Medical Administrator • Mental Health Administrator • Staff who perform screening for risk of victimization and abusiveness • Inmates that disclose victimization during PREA Screening <p>Based on the auditor's review of policies, review of mental health referrals, and interviews with inmates who reported prior sexual victimization, staff who conduct risk screening, medical and mental health staff, it is concluded that WTSP has demonstrated compliance with all the provisions of this standard.</p>
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115.82	Access to emergency medical and mental health services
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.3 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims • TDOC Index 113.30 Access to Health Care • TDOC Index 113.42 Communicable Diseases • National Protocol for Sexual Assault Medical Forensic Examinations <p>115.82(a): Access to healthcare is governed by TDOC Index 113.30 (pages 3- 5), and states inmates within the physical custody of the TDOC shall have timely access to the appropriate level of health care on a 24 hour a day basis. In accordance with the Tennessee Department of Corrections Index 502.06.3 (page 4), victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health providers, according to their professional judgement, in accordance.</p> <p>An interview with both medical and mental health staff indicated services are provided in accordance with their professional judgement, law and within TDOC</p>

	<p>policies. The auditor's review of case files indicates inmates who report sexual abuse are immediately taken to medical for assessment.</p> <p>115.82(b): In accordance with Tennessee Department of Corrections Index 502.06.3, if no qualified medical or behavioral health providers are on duty at the time a report of recent abuse is made, correctional officers are trained to render first aid as needed. Once the victim is safe and the scene is secure, if medical attention is deemed necessary for stabilization, the security shift supervisor shall notify the medical member of SART or their designee. Medical care should be limited to stabilizing the victim for transport. West Tennessee State Penitentiary had no qualifying incidents to review as all inmates who reported sexual abuse were taken to medical immediately.</p> <p>The auditor interviewed three inmates who reported allegations of sexual abuse. However, neither of these allegations alleged penetration that resulted in sufficient evidence to support their allegation and/or required medical treatment.</p> <p>115.82(c) TDOC Index 502.06.3 indicate inmate victims of sexually abusive vaginal penetration, while incarcerated, shall be offered pregnancy tests and timely information about, and access to, all pregnancy-related medical services that are lawful in the community. WTSP houses only male inmates.</p> <p>115.82(d) TDOC Index 502.06.3 indicates that treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with the investigation. Interviews with medical staff also verified that the services would be provided at no cost. There have not been any incidents of reported sexual abuse that alleged sexual penetration and/or required medical treatment.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Medical Administrator • Mental Health Staff • Inmates Who Reported Sexual Abuse • Associate Warden / Facility PREA Coordinator <p>Based on the review of policies, PREA investigations, interviews, the facility is compliant with all provisions of this standard.</p>
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115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor reviewed the following documentation to determine compliance:

- WTSP Completed Pre-Audit Questionnaire (PAQ)
- TDOC Index 502.06.03 Medical, Behavioral Health, Victim Advocacy, and Community Support Services for PREA Victims
- TDOC Index 113.30 Access to Health Care
- TDOC Index 502.06 Prison Rape Elimination Act (PREA)
- PREA Investigative Files

15.83(a): Access to healthcare is governed by TDOC Index 113.30 (pages 2 and 3), and states inmates within the physical custody of the Tennessee Department of Corrections shall have timely access to the appropriate level of health care on a 24 hour a day basis. In accordance with the Tennessee Department of Corrections Index 502.06.3 (page 4), the facility shall offer medical and behavioral health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lock-up, or juvenile facility. The auditor's review of case files indicates inmates who report sexual abuse are immediately taken to medical for a physical and mental health assessment. The interview with the Health Services Administrator confirms this is standard practice and that any inmate will receive appropriate services, regardless of where the victimization occurred.

115.83(b): In accordance with Tennessee Department of Corrections Index 502.06.3 (page 4), the evaluation and treatment of victims of sexual abuse 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. An Interview with Health Services Administrator indicates all inmates under medical or mental health treatment plan will receive continuum of services upon transfer to another facility. Inmates who are released from custody are provided arrangements for community follow-up medical/mental health care.

115.83(c): In accordance with Tennessee Department of Corrections Index 502.06.3 (page 5), the facility shall provide victims of sexual abuse with medical and behavioral health services consistent with the community level of care. The auditor concluded that the West Tennessee State Penitentiary provides all inmates' services consistent with at least a community level of care based on interviews with the Health Services Administrator and Mental Health Administrator.

15.83(d)(e): In accordance with Tennessee Department of Corrections Index 502.06.3 (page 5), inmate victims of sexual abusive vaginal penetration while incarcerated shall be offered pregnancy tests and timely information about, and access to, all pregnancy-related medical services that are lawful in the community. West Tennessee State Penitentiary is a male facility.

115.83(f) TDOC 502.06.3 (page 5), states 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. Interviews with inmates who reported allegations of sexual abuse confirmed they received medical treatment.

115.83(g): As per TDOC Index 502.06 (page 19), treatment services are provided to

	<p>the victim without financial cost and regardless of whether the victim names the abuser or cooperates with investigations.</p> <p>115.83(h): As per the Tennessee Department of Corrections Index 502.06.3 (page 6), 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 and offer treatment when deemed appropriate by behavioral health providers.</p> <p>An interview with Facility PREA Coordinator/Associate Warden, Health Services Administrator, and Mental health Administrator confirm that inmates with a history of prior sexual abuse or those identified while housed at West Tennessee State Penitentiary will be referred to mental health for assessment and opportunity to receive counseling. A review of PREA Case files shows both identified perpetrators and victims were referred to mental health and offered services.</p> <p>The auditor interviewed the following individuals to determine compliance:</p> <ul style="list-style-type: none"> • Medical Administrator • Mental Health Administrator • Inmates Who Reported Sexual Abuse • Associate Warden / Facility PREA Coordinator <p>Based on the auditor on the information collected through review of policies, review of investigative case files, and interviews with Medical and Mental Health Administrators, it is concluded that WTSP has demonstrated compliance with all the provisions of this standard.</p>
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115.86	Sexual abuse incident reviews
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06.2 PREA Allegations, Investigations, and SART • TDOC Index 502.06 Prison Rape Elimination Act (PREA) • TDOC Sexual Abuse Incident Review Report <p>115.86(a): In accordance with Tennessee Department of Corrections Index 502.06.2 (page 5), 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.</p>

115.86(b): In accordance with Tennessee Department of Corrections Index 502.06 (page 17) the facility shall conduct a Sexual Abuse Incident Review Report, CR-3985 within 30 days of the conclusion of the investigation.

The PAQ identified in the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only "unfounded" as two (2). The facility had three (3) total sexual abuse allegations. Two (2) were inmate-on inmate, one (1) of the abuse allegations involved staff and it was substantiated.

115.86(c): In accordance with the Tennessee Department of Corrections Index 502.06.2 (page 5), the Sexual Abuse Incident Review Team shall include the Warden/ Superintendent/designee, facility and Investigative Unit investigators, line supervisor(s), and medical/mental health professionals. An interview conducted with the Warden and Associate Warden / Facility PREA Coordinator confirmed the above.

The auditor reviewed the Sexual Abuse Incident Review Team meeting minutes. The team consisted of the Warden, Associate Warden / Facility PREA Coordinator, Facility PREA Compliance Manager, Investigators, Line Supervisors, Medical and Mental Health Supervisors.

115.86(d): In accordance with Tennessee Department of Corrections Index 502.06.2 (page 5), the review team shall: 1) consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; 2) consider whether the incident or allegation was motivated by race;, ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; 3) examine the area within the facility or facility grounds where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; 4) assess the adequacy of staffing levels in that area during different shifts; 5) assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; 6) prepare a report of its findings, including but not limited to, determinations made in accordance with (1)-(3) above and any recommendations for improvements and submit such report to the Warden/Superintendent.

115.86(e): In accordance with Tennessee Department of Corrections Policy #502.06 (page 18), the facility shall implement the recommendations for improvement or shall document the reason for not doing so. A copy of the incident review shall be scanned and electronically forwarded to the Tennessee Department of Corrections PREA Coordinator. The auditor's review of the substantiated and unsubstantiated incident reviews indicated no recommendations for improvement were necessary.

The auditor interviewed the following staff members to determine compliance:

- Warden
- Associate Warden/Facility PREA Coordinator/Incident Review Team Member
- Facility Compliance Manager / Incident Review Team Member

Based on the review of TDOC policy, the PREA investigative case files, Sexual Abuse

	Incident Review Reports, interviews with the Warden, Associate Warden / Facility PREA Coordinator, and Facility Compliance Manager who are members of the Incident Review Team, the facility is compliant with all provisions of this standard.
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115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Completed Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06 PREA Implementation, Education, and Compliance • Annual SSV PREA Report <p>115.87(a): As directed by Tennessee Department of Corrections Index 502.06 (pages 7 and 8), staff shall collect accurate uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions. Per an interview with the State-wide PREA Coordinator, data is collected by the Decision Support: Research and Planning Development Department using the Department of Justice annual reporting format and the set definitions identified in TDOC Index #502.06.</p> <p>115.87(b): As directed by Tennessee Department of Corrections Index 502.06 (page 8), Tennessee Department of Corrections shall aggregate the incident-based sexual abuse data at least annually. This report shall be prepared by the Decision Support: Research and Planning staff.</p> <p>115.87(c): As directed by Tennessee Department of Corrections Index 502.06 (page 8), aggregated incident-based sexual abuse data reports shall be prepared utilizing the Department of Justice annual reporting format. The State-wide PREA Coordinator provided a copy of their most recent 2023 SSV report that demonstrated that the data collected by the facility is at least sufficient to answer all questions on the survey conducted by the Department of Justice, the Survey of Sexual Violence.</p> <p>115.87(d): As directed by Tennessee Department of Corrections 502.06 (page 8), TDOC shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident review.</p> <p>115.87(e): As directed by Tennessee Department of Corrections Index 502.06, Tennessee Department of Corrections shall collect incident based and aggregated data from every private facility with which it contracts for the confinement of its inmates. Per the TDOC State-wide PREA Auditor, in addition to the contract monitor assigned at each privately operated contract facility, he also monitors the reported PREA allegations at each.</p>

	<p>115.87(f): SSV submission form for 2023 was reviewed by auditor; 2024SSV is not yet due. Per the TDOC Statewide PREA Coordinator, the most recent SSV-2, which was for calendar year 2023. Due to difficulty in accessing the SVV program, TDOC was granted access on December 27, 2024, for the upload of the SSV-2 documentation. This information was confirmed through email correspondence between the TDOC Deputy Inspector General and the Survey of Sexual Victimization, Project Manager.</p> <p>Based on information collected from review of policies and reports identified in the above narrative, and interviews with the State PREA Coordinator, auditor finds West Tennessee State Penitentiary meets the provisions of this standard.</p>
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115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the following documentation to determine compliance:</p> <ul style="list-style-type: none"> • WTSP Pre-Audit Questionnaire (PAQ) • TDOC Index 502.06 Prison Rape Elimination Action (PREA) Implementation, Education, and Compliance • Fiscal Year 2023 - 2024 Annual PREA Report • TDOC agency website <p>115.88 (a) (b) (c) (d) The TDOC Index 502.06 policies address the requirement of this standard. The Directive indicates that TDOC staff shall aggregate incident-based sexual abuse data annually; Maintain review and collect data as needed from all available incident-based documents, including reports, investigative files, and sexual abuse incident reviews; Ensure that all aggregated sexual abuse data is included in an annual report that includes an assessment of the Department's sexual abuse prevention, detection, and response policies, practices, and training; If applicable, identifies Department-wide problem areas or problems within specific correctional facilities; Is used to facilitate corrective action at the Department and correctional facility levels; compares the current calendar year's data and activities with that available from previous years; Assesses the Department's progress in addressing sexual abuse; and is approved by the Commissioner and made readily available to the public through the Department's website. Personal identifiers shall be removed prior to the data being made publicly available.</p> <p>Per an interview with the Agency Head Designee, the agency does use the incident based sexual abuse data to assess and improve sexual abuse prevention, detection,</p>

	<p>and response policies, practices, and training. As incidents are reported and investigated, trends are identified (i.e. regarding the time, location, staff involved etc.). As the trends are identified, processes and policies are refined to ensure the adequate addressing of any issues found. If there is a deficiency noted that can be corrected with additional training, it is arranged. If there is an issue that needs to be clarified, a memorandum of instruction is issued. The retaliation monitoring that staff conduct for victims and staff reporters was born out of trends observed. The Annual PREA Report is prepared by the TDOC Statewide PREA Coordinator and submitted through the Director of Compliance for the Commissioner’s review and approval. Once approved, the report is posted on the TDOC website.</p> <p>Per the WTSP PREA Compliance Manager, the agency does review data collected and aggregated pursuant to 115.87 to assess and improve the effectiveness of its sexual abuse prevention, detections, and response policies, and training. As the facility PREA Compliance Manager she is responsible for gathering and submitting accurate information to the Associate Warden / PREA Coordinator for submission to the TDOC Statewide PREA Coordinator.</p> <p>TDOC Statewide PREA Coordinator confirmed the agency reviewed data collected and aggregated pursuant to standard 115.87 to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training. When the data shows that corrective action measures are needed, immediate actions are taken to ensure PREA compliance, and the safety of staff and inmates. She completes an Annual Report that is submitted to the Commissioner for review. Once the Commissioner reviews and approves the report, it is posted on the agency’s public website. Typically, the agency’s Annual Reports do not contain sensitive information that needs to be redacted, as such information is excluded and will not be included in the report.</p> <p>The auditor reviewed the agency’s website and verified that the TDOC Annual PREA Reported for FY 2023 – 2024 was published and made available to the public. The Annual Report included a comparison of fiscal years of 2022 -2023 and 2023 – 2024.</p> <p>The auditor interviewed the following staff members to gain compliance:</p> <ul style="list-style-type: none"> • TDOC Statewide PREA Coordinator • Agency Head Designee • WTSP PREA Compliance Manger • Associate Warden / Facility PREA Coordinator <p>Based on a review of policy, website, Annual Report, interviews and analysis, the agency is compliant with all provisions of this standard.</p>
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115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard

Auditor Discussion

The auditor reviewed the following documentation to determine compliance:

- WTSP Completed Pre-Audit Questionnaire (PAQ)
- TDOC Index 502.06 Prison Rape Elimination Action (PREA) Implementation, Education, and Compliance
- TDOC agency website

115.89 (a) (b) (c) (d) The TDOC Index 502.06 policies govern the mandate of the standard provisions.

The policies indicate the TDOC PREA Coordinator shall ensure that the data collected is securely retained. Per an interview with the TDOC Statewide PREA Coordinator, data is securely maintained for at least 10 years in a computerized system and accessible to authorized staff only.

The site observation and interviews with investigative staff confirmed the PREA investigative case files are stored electronically in the PREA Allegation System accessible only to agency investigators through password protection. Hardcopy files are secured in file cabinets within the investigative department with key entry accessibility limited to the assigned facility investigative staff.

Inmate medical and mental health files are maintained electronically with password protection. Individual hardcopy files that are secured in the medical records office with limited staff accessibility. The records office was observed manned by the medical records clerk.

The inmate risk screening documentation is only stored electronically and is accessible to designated staff based on their official role. All electronically stored data is password protected. Inmate individual files are secured in the record office that is manned by designated record office clerks.

115.89 (b) TDOC Index 502-06 states the TDOC Statewide PREA Coordinator ensures the data collected is securely retained. TDOC makes all alleged 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.

The auditing team reviewed the TDOC website at <https://www.tn.gov/correction/sp/prison-rape-elimination-act.html> and confirmed the publishing Annual Reports were accessible for viewing by the public.

115.89 (c) TDOC 502-06 states Personal identifiers are removed prior to the data being made publicly available. The TDOC Statewide PREA Coordinator maintains sexual abuse data collected for at least ten years after the initial collection unless federal, state or local law requires otherwise.

The auditing team reviewed the TDOC website at <https://www.tn.gov/correction/sp/prison-rape-elimination-act.html>, and confirmed personal identifiers were excluded from

	<p>the reports.</p> <p>115.89 (d) TDOC 502-06 states the TDOC Statewide PREA Coordinator maintains sexual abuse data collected for at least ten years after the date of the initial collection unless federal, state, or local law requires otherwise.</p> <p>The following historical Annual PREA Reports were submitted for review: FY 13-14; FY 15-16; FY 17-18; FY 19-20; FY 22-23.</p> <p>The auditor interviewed the following staff members to determine compliance:</p> <ul style="list-style-type: none"> • TDOC Statewide PREA Coordinator <p>Based on the review of TDOC policies, agency website, site observation and staff interview, the TDOC agency and facility is compliant with all provisions of this standard.</p>
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115.401	Frequency and scope of audits
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>401. (a) This is the third year of the fourth audit cycle. The review of the TDOC agency website at https://www.tn.gov/correction/sp/prison-rape-elimination-act.html, confirmed PREA Audit Final Reports were posted for each of the 11 correctional facilities under TDOC management throughout the third cycle and the second year of the fourth cycle.</p> <p>401. (b) The auditing team reviewed the TDOC website at https://www.tn.gov/correction/sp/prison-rape-elimination-act.html, confirmed the agency ensured that at least one-third of agency facilities to include those operated by a private organization on behalf of the agency was audit each one-year period. However, an Interim PREA Report was submitted for one (1) of the four (4) contract facilities.</p> <p>401. (h) The auditing team was provided with full access to all buildings and areas during the site observation. Areas observed during the site visit included but were not limited to the following all housing units, food service, visitation, medical, mental health, administrative offices, inmate program areas, maintenance, warehouse, mailroom, religious services, observation of inmate risk screening, and inmate PREA orientation.</p> <p>401 (i) The auditing team was provided with all requested documentation to include extensive files throughout the audit process to support a conclusion of compliance with PREA standards. The documentation review included sufficient sampling based on the size of the facility of inmate PREA risk screenings, staff and inmate training records, investigative reports, medical and mental health documentation,</p>

	<p>transgender bi-annual assessments, staff background investigations, and additional program information and documents.</p> <p>401.(m) The auditing team was provided with individual office space to conduct all inmate and staff interviews within private settings. Interviews were conducted with random and specialized staff in addition to random and target group inmates.</p> <p>401. (n) The PREA Audit Notice was provided to the facility by the Lead Auditor and noted as posted on March 10, 2025, an excess of six weeks prior to the site observation. The PREA Audit Notice was observed posted throughout WTRC to include the front entrance, visitation, recreation, food services, program areas, administration, segregation units, intake, mental health, medical, and all housing units accessible for viewing by inmates, staff, volunteers and contractors. Interviews with staff to include contractors and volunteers and the inmate population, acknowledged observance and awareness of the posting.</p> <p>An interview with staff assigned to the mailroom confirmed the inmates' outgoing mail is sealed by the inmates unless identified for monitoring due to security concerns per the Warden. Outgoing mail addressed to the PREA Auditors would have been treated as confidential and legal mail. The auditing team did not receive any written correspondence nor verbal requests from the inmate population or staff during the site observation to participate in the interview process.</p>
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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 the agency's website accessible for viewing to the public. A review of the TDOC's website at www.tn.gov/correction/sp/prisonrape-elimination-act.html contained the final 15 previous PREA reports completed for TDOC to include four (4) contract facilities.</p> <p>The auditor finds the West Tennessee State Penitentiary meets this standard based on information observed on the agency website, review of audit reports, and interview with State PREA Coordinator.</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
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Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
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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
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Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
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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
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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
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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
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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.)	na
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115.12 (b) Contracting with other entities for the confinement of inmates

Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure	yes
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	that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	
115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f)	
	<div data-bbox="320 185 1273 555"> <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> </div> <div data-bbox="1302 185 1353 219">yes</div>