

PREA Facility Audit Report: Final

Name of Facility: Androscoggin County Jail

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 01/07/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Jack Fitzgerald	Date of Signature: 01/07/2022

AUDITOR INFORMATION	
Auditor name:	Fitzgerald, Jack
Email:	jffitzgerald@snet.net
Start Date of On-Site Audit:	09/29/2021
End Date of On-Site Audit:	10/01/2021

FACILITY INFORMATION	
Facility name:	Androscoggin County Jail
Facility physical address:	40 Pleasant Street, Auburn, Maine - 04210
Facility Phone:	
Facility mailing address:	

Primary Contact	
Name:	Victoria J Langelier
Email Address:	vlangelier@androscoggincountymaine.gov
Telephone Number:	2077532576

Warden/Jail Administrator/Sheriff/Director	
Name:	Jeff Chute
Email Address:	jchute@androscoggincountymaine.gov
Telephone Number:	2077532500

Facility PREA Compliance Manager	
Name:	Lane Feldman
Email Address:	lfeldman@androscoggincountymaine.gov
Telephone Number:	O: (207) 753-2500

Facility Health Service Administrator On-site	
Name:	Wendy Riebe
Email Address:	Wendy.Riebe@chpdelivers.com
Telephone Number:	2077532584

Facility Characteristics	
Designed facility capacity:	160
Current population of facility:	167
Average daily population for the past 12 months:	152
Has the facility been over capacity at any point in the past 12 months?	Yes
Which population(s) does the facility hold?	Both females and males
Age range of population:	18-95
Facility security levels/inmate custody levels:	Minimum, Medium, Maximum, Hi-Max (Seg)
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	70
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	0
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	40

AGENCY INFORMATION	
Name of agency:	Androscoggin County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	2 Turner Street, Auburn, Maine - 4210
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
Name:	John Morissette	Email Address:	jmorissette@androscoggincountymaine.gov

SUMMARY OF AUDIT FINDINGS	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
Number of standards exceeded:	
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:	2021-09-29
2. End date of the onsite portion of the audit:	2021-10-01

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:	<p>The Auditor spoke with representatives of the local rape crisis agency, 2 local hospitals with SANE services, and State DOC PREA Coordinator. The State DOC PREA Coordinator is in the Operations Unit which has oversight responsibilities of Jails in Maine Statutes. The DOC completes site visits periodically and can receive grievances from inmates in county Jails. The State PREA Coordinator for DOC is also the outside reporting mechanism for inmates at Androscoggin County Jail.</p> <p>I also completed research into state laws, Maine's protocols for handling sexual assault cases for law enforcement and medical staff. The Auditor also reviewed information on the SANE certification training, the training of Rape Crisis advocates and reviewed news stories about the facility for potential complaints lawsuits.</p>

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	167
15. Average daily population for the past 12 months:	152
16. Number of inmate/resident/detainee housing units:	17
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	141
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38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	6
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	8
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	1
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	1
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	0
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	10
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	4
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	3
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	7
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0
48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	The Auditor was able to meet individual out of the various groupings. The Auditor was informed that one of the Transgender individuals was at a psychiatric hospital and two of the individuals no longer were identifying as trans gender. There was an allegation made during the audit of unwanted sexual contact between residents. The Auditor had spoken to both individuals involved as they were already selected one as a targeted individual and one as a random selection. Because it was an ongoing incident the alleged victim and alleged perpetrator questions regarding the investigative process were not asked.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	70

50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	0
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	10
52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	Contractors spoken with were from the Medical Mental Health Department.

INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	12
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	<p>The Auditor asked for two list, one by targeted population groups and one by housing units. This allows for the Auditor to ensure that individuals from each unit are spoken with during the formal random and targeted interviews. The auditor initially went through the population Identifying the target population first and then looked to add random individual from each unit not represented until all units had an Identified individual. The Auditor also looked for individual with names of different ethnic or racial groups since the population list does not provide information on these issues. The Auditor also asked identified individuals who were newer to the facility as well as those who were in the facility for longer periods of time. The Androscoggin County Jail has a high turnover of the population as consistent with Jails. Only 32 of the 141 inmates were sentenced. Pretrial inmates can be as short as one day with the majority of admissions staying less than three weeks. The Auditor was also able to utilize identified LGBTI to ensure they were not housed together by practice.</p>

56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	10
<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>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	1
61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	1
62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:	0
a. 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.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).	I believe this individual appeared in multiple categories
63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:	1

<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The Auditor was provided information from the facility stating there were none. The Auditor selected names from the list suggesting the individual might be non-white. The Auditor attempted to interact with individuals on the tour who appeared to be Asian or Hispanic to gauge if there may be a potential language barrier.</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>3</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>1</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>1</p>
<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>2</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The Auditor confirmed with staff and supervisors on tour and in formal interviews that segregation of victims of abuse is not a practice in current or recent use in the facility.</p>

70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	The facility did an excellent job in supporting the interviews of inmates. by aiding in the process of getting individual to the Auditor with minimal down time. The Auditor was provided private spaces near housing units to complete interviews while maintaining COVID 19 protocols of social distancing and mask wearing.
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Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

71. Enter the total number of RANDOM STAFF who were interviewed:	12
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72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
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73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	The Auditor was able to talk to individual staff who had been on the job between one year and 25 years of service. The Auditor spoke with individual from all shifts and differing rolls in the facility including supervisory staff .
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Specialized Staff, Volunteers, and Contractor Interviews

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

75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	11
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76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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<p>79. Were you able to interview the PREA Compliance Manager?</p>	<p> <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards) </p>
<p>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</p>	<p> <input type="checkbox"/> Agency contract administrator <input checked="" type="checkbox"/> Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment <input type="checkbox"/> Line staff who supervise youthful inmates (if applicable) <input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable) <input checked="" type="checkbox"/> Medical staff <input checked="" type="checkbox"/> Mental health staff <input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches <input checked="" type="checkbox"/> Administrative (human resources) staff <input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff <input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations <input checked="" type="checkbox"/> Investigative staff responsible for conducting criminal investigations <input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness <input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation <input checked="" type="checkbox"/> Staff on the sexual abuse incident review team <input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation <input checked="" type="checkbox"/> First responders, both security and non-security staff <input checked="" type="checkbox"/> Intake staff <input type="checkbox"/> Other </p>
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>

82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of CONTRACTORS who were interviewed:	3
b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input checked="" type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
83. Provide any additional comments regarding selecting or interviewing specialized staff.	<p>The Agency has only one site but has both the PREA Coordinator and a PREA Compliance Manager so both individuals were spoken with. Several individuals were interviewed for multiple target areas of information. The Auditor spoke with contracted medical and Mental Health staff as part of the process. The SANE services would not occur on site so specific questions of that nature were asked of the local hospital that victims would be taken to.</p>

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: discussions related to testing critical functions are expected to be included in the relevant Standard-specific overall determination narratives.

84. Did you have access to all areas of the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Was the site review an active, inquiring process that included the following:	
85. Reviewing/examining all areas of the facility in accordance with the site review component of the audit instrument?	<input checked="" type="radio"/> Yes <input type="radio"/> No
86. Testing and/or observing all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., intake process, risk screening process, PREA education)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No

<p>88. Informal conversations with staff during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>The Auditor walked the entire facility and spoke openly with staff and residents. During this period the Auditor made announcements about the Audit and process for selecting a random sample of inmates to ensure the facility is in compliance with the federal law. The Auditor reviewed logbooks to see that supervisory tours occur, spoke with food service supervisors to learn how, clients are supervised off the housing units, and observation of staff cross gender announcements. The Auditor tried the phone system to see how the posted phone numbers are accessed. The Auditor also asked questions about PREA during informal conversation with both residents and staff. This was to gauge the basic knowledge of PREA, if they knew anything about the posting on how to report and if they knew about the Audit.</p>
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Documentation Sampling

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

<p>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>The Auditor provided a numeral based sampling of inmate files and of staff files.</p>
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SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# 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	1	0	0
Staff-on-inmate sexual abuse	2	0	2	0
Total	4	1	2	9

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	6	2	0	0
Staff-on-inmate sexual harassment	4	0	2	0
Total	10	2	2	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	0	0	0
Staff-on-inmate sexual abuse	0	0	2	0
Total	0	0	2	0

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	2	1	1
Staff-on-inmate sexual harassment	0	4	0	0
Total	0	6	1	1

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	2
99. 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

100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	1
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<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>2</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>2</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>1</p>

<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>Staff-on-inmate sexual harassment investigation files</p>	
<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>1</p>
<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>In Case A (SA) inmate was charges for contact with another inmate genital area</p> <p>In Case B (SH) an inmate was criminally charges for a physical assault after being asked to engage in a sexual act.</p> <p>In Case C (SA) A inmate alleged SA by unidentified staff after referral to hospital the inmate admitted to making the allegation up.</p> <p>In Case D (SH) A inmate alleged staff used derogatory language toward him. The allegation was then withdrawn during the investigation</p> <p>In Case E (SA) A inmate alleged sexual contact by staff, Hospital evaluation and video did not substantiate the allegation.</p> <p>Case reviewed by the Auditor included both Sexual Assault and Sexual Harassment allegations. The Cases included Substantiated, Unsubstantiated and Unfounded allegations. In each case the investigating individual provided a narrative report describing the step taken in the course of the investigations. In each case the document describes the evidence considered in making a conclusion including, video evidence, interviews with alleged victims, alleged perpetrators, witnesses, written statements and the results of forensic examinations. The source of the allegations also varied with inmate self-report, staff observation and a complaint from an outside source.</p>

SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

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

- Yes
 No

Non-certified Support Staff

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

- Yes
 No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

- The audited facility or its parent agency
- My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)
- A third-party auditing entity (e.g., accreditation body, consulting firm)
- Other

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Androscoggin County Organizational chart</p> <p>ACSO PREA Implementation Plan</p> <p>Assistant Jail Administrator Job description</p> <p>Individuals interviewed/ observations made.</p> <p>Interview with PREA Coordinator</p> <p>Interview with Sheriff</p> <p>Interview with Jail Administrator</p> <p>Summary Determination</p> <p>Indicator (a) The Androscoggin County Sheriff's Offices has developed an agency-wide policy to ensure compliance with the Prison Rape Elimination Act. PRO: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates was written to address the various requirements of the standards. The 24-page policy is set forth a zero-tolerance expectation for any sexual misconduct by inmates, staff, contractors, or volunteers. Page two of the policies set forth the zero-tolerance condition, and this initial portion of the policy defines sexual misconduct consistent with the federal terms in PREA. "The Androscoggin County Sheriff's Office (ACSO) takes a zero-tolerance stance toward all forms of sexual abuse and sexual harassment and outlining the ACSO's approach to preventing, detecting, and responding to such conduct." The policy uses on (pages 5 and 6) definitions consistent with the federal definition of sexual abuse and sexual harassment incidents. The subsequent pages further defines the different aspects of ASCO's efforts to prevent, detect, and respond to incidents of sexual abuse. The policy states there is no consensual contact between Inmates and staff or prohibits all sexual activities. It further identifies screening, education, monitoring, and other elements supporting prevention, allowing for detection, and ensuring a full legal and medical response to any complaint. The Androscoggin County Jail (ACJ) staff showed knowledge consistent with training materials about their role in preventing, detecting, and responding to sexual assault claims. In addition, posters throughout the facility remind Inmates and staff of the zero-tolerance expectation. Random Inmates reported that Androscoggin County Jail is a PREA safe environment and supports a Zero-Tolerance Culture exist. Staff provide frequent visits into the units and have monitoring screens to allow them to monitor inmate interactions in between tours.</p> <p>Indicator (b). The Androscoggin County Sheriff's Offices has only one facility for individuals awaiting trial or placement post-sentencing. PREA policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates defines the role of the PREA Coordinator. "The ACSO shall employ or designate an upper-level, agency-wide, PREA Coordinator with sufficient time and authority to develop, implement, and oversee the ACSO's efforts to comply with the PREA standards in all of its facilities" The policy on subsequent pages to defines the duties of the PREA Coordinator to include coordinating and developing procedures to identify, monitor and track sexual misconduct incidents and retaliation occurring in the ACJ. The role is recognized within the agency administrative chart and meeting agendas with top correctional officials. Interviews with the PREA Coordinator, Jail Administrator and the Sheriff confirmed he has sufficient access to key agency administrators to influence policy and resources to ensure PREA safe environments. The facility has a PREA Coordinator, Captain Lane Feldman, who developed an implementation plan for the ACJ's efforts to pursue PREA compliance. The position, as noted, has him reporting to the Jail Administrator. The Sheriff says the PREA Coordinator and the Jail Administrator have clear access to his to discuss any compliance issues that may arise.</p> <p>The Auditor was provided meeting minutes supporting the PREA Coordinator's direct access to agency leadership.</p>

Indicator (c) The indicator is not required as the Androscoggin County Sheriff's Office only has one facility. The organizational chart names the two Sergeants as having additional responsibilities at the Androscoggin County Jail. The Compliance and Training Sergeant is listed as the individual to serve as the PREA Compliance Manager. As the facility's training and compliance person, the PCM can ensure training is maintained and identified issues are addressed for staff in training materials. The PREA Coordinator and the Jail Administrator both confirm the Sergeant's ability to oversee PREA Compliance, influence policy and take corrective action when she identifies areas of concern.

Compliance Determination

The Androscoggin County Sheriff's Offices have policies that support compliance by defining the steps to prevent, detect, and respond to sexual abuse and sexual harassment incidents. The agency's PREA policy (3.6.1) also addresses prohibited behaviors and sanctions for any form of sexual misconduct. The policy and other documents provided to the Auditor define the roles of the PREA Coordinator. The interview with the agency PREA Coordinator confirmed his roles to ensure PREA Compliance is maintained. The PREA Coordinator believes he has the capacity in his job to advocate for a policy or procedural changes needed to support inmate safety. This was confirmed with the Jail Administrator and the County Sheriff. Interaction with management at varying levels in the organization supports the importance of the PREA Coordinator, PREA Compliance Manager, and the agency's commitment to ensure a zero-tolerance culture exists. Compliance is based on interviews with staff, agency leaders, the documentation provided, policy. The Auditor also considered the interviews with inmates who clearly support a zero-tolerance culture exists.

115.12	<p>Contracting with other entities for the confinement of inmates</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Individuals interviewed/ observations made.</p> <p>Jail Administrator</p> <p>Summary Determination</p> <p>Indicator (a) Androscoggin County Sheriff's Office does not contract for the holding of inmates with any other institution.</p> <p>Indicator (b) Androscoggin County Sheriff's Office does not contract for the holding of inmates with any other institution.</p> <p>Compliance Determination</p> <p>The Androscoggin County Sheriff's Office does not contract with other entities to provide for the confinement of inmates currently. The ACSO PREA policy addresses the standard requirement for any future consideration of contracted beds. It states on page 3 of 3.6.1 the following, " The ACSO contracts for the confinement of its inmates with private agencies or other entities, including other government agencies, and shall include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards. Any new contract or contract renewal shall provide contract monitoring to ensure that the contractor is complying with the PREA standards."</p> <p>This standard is compliant as the indicators do not currently apply. The Auditor also considered policy language in place supporting expectations are in place for any future contracting.</p>
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115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Policy 1.3.3 Personnel</p> <p>Policy 1.2.1 Position Allotment</p> <p>Supervisor Rounds</p> <p>Staff Schedules</p> <p>Camera locations</p> <p>Individuals interviewed/ observations made.</p> <p>Jail Administrator</p> <p>Sheriff</p> <p>PREA Coordinator</p> <p>Supervisory Staff (Sgts.)</p> <p>Observation on tour of electronic logbooks and Supervisory movement onsite</p> <p>Interview with control officers</p> <p>Interview with Inmates</p> <p>Review of past allegations</p> <p>Summary Determination</p> <p>Indicator (a) Androscoggin County Sheriff's Office (ACSO) and Androscoggin County Jail's (ACJ) PREA Policy 3.6.1 sets forth the requirements of what should be considered in the assessment of needs in determining a staffing plan that considers PREA standards. Page 6 of the policy describes the various things that should be considered in the development of a plan consistent with this indicator. "The annual staff analysis requires staffing levels shall provide adequate staffing and, where applicable, video monitoring to protect inmates against sexual abuse. In calculating adequate staffing levels and determining needs for video monitoring, the following, along with any other relevant factors, shall be taken into consideration:</p> <ul style="list-style-type: none"> a) Generally accepted correctional practices b) Any judicial findings of inadequacy c) Any findings of inadequacy from federal investigative agencies d) Any findings of inadequacy from internal or external oversight bodies e) All components of the physical plant (including " blind-spots" or areas where staff or inmates may be isolated) f) Composition of the inmate population g) Number and placement of supervisory staff

- h) Institutional programs occurring on a particular shift
- i) Applicable state or local laws, regulations or standards
- j) The prevalence of substantiated or unsubstantiated incidents of sexual abuse; and
- k) Any other relevant factors."

Interviews with the Jail Administrator and the PREA Coordinator describe the development process used to complete the annual assessment of staffing. The Jail Administrator reports there were no judicial, federal, or oversight bodies' findings of inadequacies. The Androscoggin County Jail is subject to inspection by the state's Department of Correction who has oversight responsibility on conditions of confinement. He also confirmed the facility has not operated under the minimal staffing level, and there is a daily report which he receives that tracks staffing allotment. The facility is able to adjust post assignments to ensure required posts are maintained. The staffing matrix is also reviewed by the state DOC. The staffing plan is based on 200 maximum, minimum, and medium inmates. In the last year, with the pandemic, the facility has reportedly averaged just over 150 inmates in the past 12 months. The ACJ provided the Auditor with many of the elements in advance that supported compliance with many of the items but did not have a narrative document that covered all the elements described in this indicator. The Auditor worked with the PREA Coordinator and Jail Administration to come up with a document that describes the element used in determining staffing need and a process for annual review. This document was provided to the Auditor in the weeks after the site visit. ACSO policies 1.2.1 Position Allotment and 1.3.3 Personnel also support a staffing plan developmental process and annual review. Policy 1.3.3 ensures all services when it states, "the administrator will forward a summary report of actual figures in each manpower category at the end of each fiscal year to the Sheriff, who will, in turn. Combine this data with other Sheriff's Office data and provide it to the County Commissioners. This report will identify individual and total changes in positions allocated in each category, the vacancy rate for each, vacancy totals, and other such information as required by the Sheriff's Office staff to formulate staffing and budget documents."

Indicator (b). The indicator is N/A as ACJ has not failed to comply with the staffing plan in the past three years reportedly. Policy 3.6.1. requires "The shift supervisor shall document and justify any deviations from the staffing plan. if for any reason staffing is not met." The staffing plan for the Androscoggin County Jail allows the management to adjust the deployment of staff as needed and in response to critical positions. When staff call-out, there is an ability to mandate staff to ensure the overall safety of inmates. Interviews support the Jail Administrator or Assistant Jail Administrator would be notified of all critical events, including any situation impacting staffing minimums. The Sergeants who run the operations are responsible for finding coverage and documenting the changes and any justification for why minimums were not met. Inmates' support staff are always available to them and did not voice a concern about a lack of staffing at any time. The Jail Administrator annually submits the staffing of the facility in all areas to the Department of Corrections for the state of Maine. As noted in (a) Maine DOC has statutory responsibilities related to jail safety.

Indicator (c) In Policy 3.6.1 the Androscoggin County Jail has set forth an annual review of the staffing of the Jail. It states, "The ACSO, in consultation with the PREA Coordinator, shall annually or sooner when necessary, assess, determine, and document whether adjustments to the plan are needed to:

- a. Modify the staffing plan
- b. Deploy the facility video monitoring systems and other monitoring technologies
- c. Assess the resources that the Androscoggin County Sheriff's Office has available to accomplish adherence to the staffing plan."

Interviews with the Sheriff, Jail Administrator, and PREA Coordinator support a collaborative review process of staffing exist at the institutional and agency level. As this is the first PREA Audit of the facility, there was no prior documentation of the PREA Coordinator's involvement in the review. As the Assistant Jail Administrator, staffing and technological needs are at the forefront of his job reportedly. Discussion on tour supported the steps taken in the past three years in staffing deployment and the use of monitoring technology. Like other agencies, the ACJ has had to adjust during COVID-19 to how the house inmates and thus assign staffing. The PREA Coordinator showed where they have added cameras and monitors for staff to improve safety and inmate monitoring. The Auditor discussed though it is apparent the reviews are done, there are ways to improve documentation of the PREA Coordinators involvement.

Indicator (d) The Auditor was provided with documentation to support routine unannounced rounds are made by supervisory staff. ACJ PREA policy 3.6.1 (page 7) describes the expectation of Supervisor unannounced tours consistent with the

indicator's requirements. "It is the ACSO policy and practice to have intermediate-level or higher-level supervisors conduct and document unannounced rounds. This is to identify and deter staff sexual abuse and sexual harassment. Such policy and practice is implemented for night shifts as well as day shifts. This prohibits 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. The unannounced rounds conducted by a Sergeant or corporal will be documented in the IMC log using the IMC event type 'facility log'. The supervisor will on their respective shift complete one unannounced round in the housing units per shift" The Auditor was able to review logbooks during the tours and speak to Housing Officers about the process. The Agency provided documentation from the IMC logs including corresponding video for four random selected dates by the Auditor. With the Control Officer, the Auditor confirmed that tours do occur and that it is prohibited to notify fellow staff of the tour. Sergeants and Corporals spoken with during the course of the audit supported random tours are completed. The individuals spoken with describe varied routes are taken on the tour to limit predictability.

Compliance Determination

The Androscoggin County Sheriff's office and the Androscoggin County Jail have two policies that address the requirements of the four indicators in this standard. Policy 1.3.3 Personnel and 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates

sets forth requirements of the staffing plan, the requirements for documentations of staffing deviations, the requirement of unannounced supervisory rounds and the annual review of staffing needs. The ACJ has developed a plan in a narrative format that addresses the various considerations in indicator (a). The facility is not under any current judgment for inadequacy. The plan is reviewed annually with jail administration, and then a request would go to the Sheriff's Office for staffing needs or technology upgrades. The agency has also invested in technology to support supervision and limit related PREA complaints. The facility utilizes cameras in addition to the active supervision of inmates through frequent tours. Sergeants complete tours of the entire complex at a minimum of two times per shift unannounced. In addition to custody staff, medical, mental health staff provide additional supervision and observation of Inmates' behaviors during the day.

The standard is found to be compliant based on the information provided and observations made while at the facility. Interviews with the Sheriff, the Jail Administrator, and the PREA Coordinator support an understanding of the standards elements and a consistent practice within their policies. Formal and informal interviews with inmates' support there is always staff including supervisors available. Areas that were not documented consistent with standard requirements were quickly addressed. As stated, these documentation concerns were not indicative that the processes required were not already being done.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Maine DOC website on Long Creek Youth Development.</p> <p>Memo from PREA Coordinator</p> <p>Individuals interviewed/ observations made.</p> <p>Interview with PREA Coordinator</p> <p>Interview with Intake staff</p> <p>Summary Determination</p> <p>Indicator (a) The Androscoggin County Sheriff's Office would not detain juveniles arrested under the age of 18 at the Androscoggin County Jail. The state of Maine requires juveniles to be held in a state facility under the Juvenile Justice portion of the Department of Correction.</p> <p>Indicator (b) The Androscoggin County Sheriff's Office would not detain juveniles arrested under the age of 18 at the Androscoggin County Jail. The state of Maine requires juveniles to be held in a state facility under the Juvenile Justice portion of the Department of Correction</p> <p>Indicator (c) The Androscoggin County Sheriff's Office would not detain juveniles arrested under the age of 18 at the Androscoggin County Jail. The state of Maine requires juveniles to be held in a state facility under the Juvenile Justice portion of the Department of Correction</p> <p>Compliance Determination</p> <p>The standard is compliant. None of the indicators currently apply. As stated, the Androscoggin County Sheriff's Office Jail does not house youthful inmates (individuals under 18). In Maine, all youth under 18 would be housed as Juveniles at the Long Creek Youth Development Center in South Portland. The Long Creek Facility is under the direction of the juvenile justice division of the Department of Corrections. As such, there were no individuals with whom the auditor could interview about sight and sound separation issues or housing or programming issues. The Auditor confirmed the lack of juveniles through direct observation on the tour, the client population sheet, and through interviews with the PREA Coordinator and Intake staff. The Auditor also reviewed the Maine DOC website for information on Long Creek YDC.</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Maine Justice Academy Training Materials of searches</p> <p>Maine State Statutes 200-G Attorney General Rules for Strip Searches, Mouth and Body Cavity Searches of Arrestees</p> <p>Individuals interviewed/ observations made.</p> <p>PREA Coordinator</p> <p>Jail Administrator</p> <p>random Staff</p> <p>random Inmates</p> <p>Summary Determination</p> <p>Indicator (a) The Androscoggin County Jail PREA policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates prohibits cross-gender strip searches of inmates except in emergency situations. The policy states, "Neither cross-gender strip searches nor cross-gender visual body cavity searches shall be conducted except in exigent circumstances or by a medical practitioner. Such searches shall be documented by the searching officer by an incident report." State law listed under the Maine Attorney General's Office defines the requirements for an arrestee's strip or body cavity searches. Body cavity searches must only be performed based on probable cause and require a warrant except in exigent circumstances. Strip Searches must be completed by medically trained personnel or same-gender staff. All body cavity searches can only be performed by trained medical staff. In a review of the pre-audit tool, ACJ does not report having completed a cross-gender strip search in the past year. The agency has a body scanner which lessens the need for the use of strip-searching an individual. The agency reported no cross-gender strip or body cavity searches.</p> <p>Indicator (b) PREA policy 3.6.1 (page 7) states, "The ACSO shall not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. All such searches shall be documented in an incident report." Interviews with staff and inmates support that there are no cross-gender pat searches of female inmates. The female inmates support there is no prohibitions of movement of the unit to programming due to the lack of female staffing. The agency maintains a female staff on each shift and may access patrol staff of the ACSO Sheriff's Office if needed.</p> <p>Indicator (c) PREA policy 3.6.1 (page 7), as noted in indicators (a) and (b), requires the documentation of all exigent circumstances. There was no documentation to review as there has been no cross-gender strip, body cavity searches or pat searches.</p> <p>Indicator (d) ACJ PREA Policy 3.6.1 covers the expectation of this indicator and provides operational expectations across the institution. "All inmates shall be able to shower, perform bodily functions, and change clothing without a 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. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering an inmate housing unit. The Zone Officer will announce any time an opposite-gender person enters a housing unit. However, requiring the announcement only when an opposite-gender person enters a housing unit where there is not already another cross-gender staff present. This announcement needs to be done upon entrance of the block. No announcement needs to be made when an opposite-gender person leaves the unit. Staff assigned to that zone will announce their presence upon entering the housing area of the opposite-gender every time they enter.." The Auditor also observed staff</p>

announcements on the tour and confirmed with inmates their ability to shower or use restroom facilities without opposite gender staff seeing them. No Inmates reported ever being naked in front of opposite-gender staff. The Auditor spoke with the agency about the privacy curtains in the shower areas. The items were undersized, making it impossible to fully cover the opening. The facility ordered new shower curtains that were wider than the opening and provided appropriate levels of privacy while maintaining the ability to determine if more than one individual was in the shower. Photos were provided of the replacement curtains in place, including a staff person standing behind one to allow height perspective. The Agency also added privacy barriers between inmate toilets where they did not previously exist. This will aid in preventing incidental view during rounds by opposite gender staff.

Indicator (e) The Androscoggin County Jail has policy language that addresses the expected practices for searching transgender or intersex inmates. PREA policy 3.6.1 sets forth the requirement that transgendered individuals are not searched for the purpose of determining genital status. "No transgender or intersex inmate shall be searched for the sole purpose of determining the inmate's genital status. If an inmate's genital status is unknown, it may be determined by a conversation with the inmate, review of medical records, or by learning that information as part of a broader medical examination conducted in private by a medical practitioner." Intake staff knew that strip searches for the purpose of identifying genital status are inappropriate and that they would find out information through interviews. The body scanner provides the ability to ensure detainees do not have contraband without the client disrobing. Once the Intake staff completes their portion, the inmates are seen by Correctional Health Partners Health Nursing staff. They ask questions that may aid in identifying the individual's gender and comfort with what staff the inmate would prefer to complete their search. ACJ reports no cases in which a transgender or intersex inmate was searched to determine genital status. Intake staff interviewed stated that if the client were resistant to discussing the topic, they would be referred to the medical staff with whom the inmate may be more comfortable. All inmates spoken with supported they would not get disciplined for not answering questions during the intake about sexuality or prior abuse history. Due to the lack of transgender or intersex individuals in the current population, the Auditor was unable to ask inmates if they perceived that they had been searched to determine genital status.

Indicator (f) The Androscoggin County Jail trains all staff to be respectful, professional, and in the least intrusive practice possible for searching Inmates. All Jail staff are trained to routinely use the back of their hand instead of the front when completing pat searches. The Maine Criminal Justice Academy, which provides certification to all correctional officers in the state, provides training on completing cross-gender searches and working with LGBTI Inmates. The training talks about communication that is professional and supportive of the inmate. The training addresses the frequency of trauma in this population and how the facility can determine housing and search preferences through a multi-disciplinary process, including the inmate's preference for searches. ACJ reports 100 % of the staff have been trained on these procedures. Policy states, "The ACSO shall train security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with a security need." The Auditor was provided with records showing staff training for all. Staff interviews supported the training, including physically performing cross-gender pat searches and the importance of communication before touching the inmate. Staff were aware that transgender or intersex Inmates will have a say in the gender staff who they prefer to complete pat and strip searches.

Compliance Determination

The Androscoggin County Sheriff's Office has a policy in place to address the various elements in this standard. Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates, and the Maine Attorney General's Office rules on Strip and Body Cavity searches mirror standard expectation in that cross-gender searches are not allowed. ACSO goes on to support no cross-gender pat searches of female inmates except in exigent circumstances that are to be documented. Training documents from the Maine Justice Academy cover procedures for opposite gender pat search and pat searches of Transgender and intersex inmates. Supporting documentation for this standard included the Training outlines/PowerPoints for completing searches and for working with LGBTQI populations. The Auditor reviewed the level of privacy the inmates have in toileting and showering while on the tour. As noted in indicator (d) the facility provided new shower curtains to the units to improve the level of privacy for inmates. Photo evidence was provided to the Auditor of them installed in the first 30 days after the site visit

Interviews with staff and Inmates were consistent with standard and policy expectations. There is no cross-gender strip or body cavity searches, and inmates can change and perform hygiene without opposite gender observation. The Inmates report and the Auditor could see during the tour, opposite gender staff do announce their presence or the officer on the housing unit announced the female staff or male staff arrival. The absent and exigent circumstance of cross-gender search compliance was based on policy, interviews with random staff and Inmates, records of cross-gender announcements

consistent with policy, training materials and staff training records. Interviews with female Inmates confirm that they are not restricted from program participation by the lack of female staff to perform pat searches. Interviews with staff also support that they have received information on how to complete a respectful pat search of transgender or intersex inmates.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Policy 3.5.7 Offenders with Disabilities</p> <p>Language Line Solutionsa Inc. Contract Information</p> <p>Language line Solutions website</p> <p>logs of interpretive calls</p> <p>PREA training powerpoint</p> <p>Individuals interviewed/ observations made.</p> <p>PREA Video in English/Spanish/ closed caption</p> <p>Inmate Kiosk/ phone with PREA reporting information</p> <p>Inmate tablets</p> <p>Jail Administrator</p> <p>random and targeted inmates.</p> <p>Random Staff</p> <p>Intake Staff</p> <p>PREA Coordinator</p> <p>PREA Signage in English, Arabic and Spanish</p>
	<p>Summary Determination</p> <p>Indicator (a) The Androscoggin County Sheriff's Office takes appropriate steps to ensure inmates in its jail with disabilities or limited English proficiency have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to provide a PREA safe environment. Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA addresses the concerns of this indicator. The policy states," The ACSO shall take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the 9 ACSO's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the ACSO shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision. The ACSO is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act, 28 CFR 35.164"</p> <p>As a county jail, the facility must be able to provide services to individuals with a wide variety of medical disabilities, including vision, hearing impairments, cognitive disabilities, psychiatric impairments, along with those with limited English proficiency. ACJ provides informative supports to those individuals with significant developmental delays or significant mental illness that</p>

might make them a target for abuse. There was signage throughout the facility in four languages about PREA safety and Inmates were aware of information in the electronic handbook if needed. The Auditor was provided documentation to further support efforts to ensure all Inmates have an ability to benefit from the facility's efforts to prevent, detect and respond to sexual misconduct. The documentation included a contract with interpretive services, staff training materials, posters in multiple languages, PREA video which was developed by the state's Rape Crisis Agency (MECASA) available in multiple languages, including and closed caption option. The Auditor spoke with individuals with disabilities who supported they were able to comprehend the materials presented and supported there were staff they could approach if needed to support their understanding. Inmates with reading disabilities, cognitive concerns, low reading skills would likely be identified at intake or at classification interviews. The Androscoggin County Jail has resources in place to aid these populations. The ACSO has invested in technology, including tablets for the inmates for which PREA information has been loaded and can be used to magnify information or replay audio or visual information. Intake staff confirmed that barriers to comprehension from disabilities or language would be documented in the system so others in the facility working with the client can be informed.

Indicator (b) The Androscoggin County Jail has a limited population of individuals with whom English is not the primary language. The ACJ has policy language on working with persons who are Limited English Proficient, the policy direct staff on the use of interpretive services and providing materials in the individual's native language. It states, "The ACSO shall take reasonable steps to ensure meaningful access to all aspects of the ACSO'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, both receptively and expressively, using any necessary specialized vocabulary." The ACJ has approached this issue through several avenues, including contracting with agencies to provide interpretive services, producing the inmate handbook and PREA signage in multiple languages, and having the PREA video available in multiple languages, finally providing Kiosks and tablets with PREA information in multiple languages. The ACJ has had an interpretive contract with Language Line Solutions since 2016. The company's website supports they provide video and phone translation in some 240 languages. The Auditor spoke with intake staff and classification staff on how they could access the translation services. They also provided the Auditor with the procedural steps' intake staff would do if an inmate were presented who did not understand English. Since there were no LEP clients in the population currently who needed interpretive services, the Auditor spoke with some bilingual individuals on the availability of assistance for those who cannot read English. The facility does employ some bilingual staff in addition to the use of Language Line Solutions. The Auditor was provided with logs and billing supporting the use of the services. The Auditor encourages the continued monitoring of the logs to see if language dialect needs changes. The Auditor also was provided with documents in multiple languages that inmates sign acknowledging they were educated about PREA at admission.

Indicator (c) Staff were aware in their random interviews that it was not appropriate to use inmates to interpret for each other except in extreme emergencies. This prohibition is also addressed in policy 3.6.1, which states, "The ACSO shall 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 performance of first-response duties under § 115.64, or the investigation of the inmate's allegations."

Compliance Determination

As described in the indicators above, the Androscoggin County Jail has policy and resources to work with individuals with disabilities or who are LEP. Their efforts ensure an understanding of how the various aspect the agency's effort to protect, detect and respond to victims of abuse and harassment. The Auditor was able to speak with multiple Inmates with disabilities. The disabilities included those with physical limitations, hearing impaired, and those with emotional and cognitive delays. There were no Inmates at ACJ at the time of the audit that required translation services to complete the interview process. The Auditor confirmed this through conversations with Inmates on tours, through random interviews with Inmates, and through interviews with staff. The Inmates reported knowing their rights, how to report PREA concerns, and if they had difficulty in understanding information how to get help. Inmates with disabilities support they understand how to access assistance if they have a PREA concern.

ACJ provides all Inmates with information about PREA upon admission. The phone/kiosk system and Tablets all provided PREA information, including the PREA video. The facility has added a plan to cover PREA during a follow-up orientation in the first ten days. In addition to the video, the facility has signage up on the units of how to report concerns in English, Spanish, Portuguese and Arabic. Inmates have continual access to PREA Information on the phone/ Kiosks and tablets with PREA information loaded on them. Staff interviewed were aware that it was not appropriate to use Inmates to interpret for each other except in extreme emergencies. Line staff knew to contact a supervisor if they needed to access an outside interpreter. Compliance was based on interviews with staff and Inmates and administration as well as the hard materials

(posters, handbooks, video, interpretive aids) and policies that support equal access to all services. The educational materials in the variety of languages on the tour support ongoing access to information exists. Finally, though the facility does not deal with many individuals who do not speak English, they have the resources in place, including an interpretive service contract.

115.17	Hiring and promotion decisions
	<p data-bbox="244 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="244 210 451 237">Auditor Discussion</p> <p data-bbox="244 273 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="244 331 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="244 389 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="244 448 448 474">ASCO employee list</p> <p data-bbox="244 506 699 533">PREA Hiring and Promotion Prohibitions form</p> <p data-bbox="244 564 545 591">Employee background checks</p> <p data-bbox="244 622 558 649">Contractor Background Checks</p> <p data-bbox="244 730 679 757">Individuals interviewed/ observations made.</p> <p data-bbox="244 788 430 815">PREA Coordinator</p> <p data-bbox="244 846 941 873">Androscoggin Chief Deputy (Oversees hiring and background checks)</p> <p data-bbox="244 904 418 931">Jail Administrator</p> <p data-bbox="244 963 557 990">Sheriff of Androscoggin County</p> <p data-bbox="244 1021 831 1048">Correctional Health Partners Health Services Administrator</p> <p data-bbox="244 1128 488 1155">Summary Determination</p> <p data-bbox="244 1187 1484 1317">Indicator (a). Policy 3.6.1 addresses the requirements of this indicator. The Policy strictly prohibits the employment or contracting with individuals who have engaged in, or attempting to engage in, or administratively been adjudicated for sexual assault. The Policy mirrors standard language, "1. The ACSO shall not hire or promote anyone who may have contact with inmates and shall not enlist the services of any</p> <p data-bbox="244 1348 997 1375">contractor, intern or volunteer who may have contact with inmates who has:</p> <p data-bbox="244 1406 1458 1464">a. 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)</p> <p data-bbox="244 1496 1417 1554">b. Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, coercion, if the victim did not consent or was unable to consent or refuse.</p> <p data-bbox="244 1585 1137 1612">c. Has been civilly or administratively adjudicated to have engaged in sexual misconduct."</p> <p data-bbox="244 1644 1489 1868">Interviews with the Chief Deputy of ACSO, who oversees hiring and background checks, support the process of screening all applicants for employment, including employees of the health care service provider Correctional Health Partners. The method includes the employees and contractors confirming that they have not broken any laws but did not specifically ask if they engaged in any form of sexual misconduct described in indicator (a). The Auditor spoke with the agency and facility leadership on ways to rectify this. The ACSO reviewed other agencies' documentation and developed a document titled PREA Hiring and Promotion Prohibitions. This form was then completed during the post-site visit period on all current employees.</p> <p data-bbox="244 1899 1484 2065">The Chief Deputy confirmed that a candidate would not be hired if any information is found supporting an individual engaged or attempted to engage in any of the behaviors listed in indicator (a). The state of Maine also has a Justice academy that all employees must again meet criteria to be considered for enrollment. Correctional Officers must be certified in the state of Maine by the Justice Academy. The Auditor was provided documentation of a random sample of staff confirming the PREA Hiring and Promotion Prohibitions form was signed</p>

Indicator (b). The Androscoggin County jail subcontracts it is medical and mental health services through Correctional Health Partners. Both Correctional Health Partners and the ACSO policy prohibit the employment of individuals who may have engaged in behaviors described in indicator (a). The Auditor confirmed with the ACSO Chief Deputy and the Correctional Health Partners Health Services Administrator that staff persons hired at ACJ have criminal background checks on these individuals. The ACJ prescreening process for its employees would seek to find information on criminal offenses, and the agency does reach out to former employers for other behaviors that might have caused discipline. The ACSO background checks for new ACJ staff are consistent with what they do for the law enforcement staff. In addition to institutional employers, they interview all prior employers and as well as neighbors and family. The Auditor was able to confirm that if a ACJ candidate was up for promotion Human Resources, would review the employee's record for prior discipline, including incidents of sexual misconduct, at which time the information would be provided to the Jail Administrator or the Sheriff.

Indicator (c). The Androscoggin County Sheriff's Office completes criminal background checks on all employees. File reviews completed by the Auditor confirmed that the process is in place and is consistently done for all new employees and at the required 5-year intervals in indicator (e). The Check includes a criminal background check and prior institutional checks. Of the 11-employee's information requested, 4 had prior institutional employment. Random sampling allowed for confirmation of the practice. The Auditor was also provided with additional examples of criminal background documents.. The Auditor confirmed that the Maine Justice Academy, to certify a correctional officer, the individual must have completed a criminal background check. The Maine Bureau of Human Resources has policy language provided that also addresses the concerns of this indicator. Policy 3.6.1 states, Before hiring new employees and as part of any promotional process, the ACSO shall conduct appropriate background checks on all applicants and employees. A criminal background records check shall be conducted before enlisting the services of any contractor who may have contact with inmates..” As a law enforcement agency, the pre-employment screening for correctional officers in the same way as Deputies. As stated in indicator (b) the ACSO will complete unannounced visits and interview neighbors and employers in addition to running their information through state and national databases before a conditional employment offer is made.

Indicator (d). ACSO completes criminal background checks on all Correctional Health Partners employees and any approved volunteers. Interviews with contracted staff and volunteers support they must pass a background check before being allowed into the facility. The Auditor was provided examples of this documentation.

Indicator (e). ACJ provided the Auditor with information on five-year criminal background checks. Eight of the 11 random employees or contractors selected were employed over 5 years. The file reviews supported the process is being completed.

Indicator (f). The requirements of this indicator are covered in 3.6.1. Included in the policy is a continual responsibility to self-report any misconduct. The policy requires all employees to not violate any state or federal laws. As noted in Indicator (a) all ACJ employees are asked to complete the PREA Hiring and Promotion Prohibitions form. This document asks all prospective employees about the required element in the aforementioned indicator. The PREA Hiring Disclosure Form requires the applicant to confirm they have not engaged in any of the behaviors described in indicator (a). It also has them confirmed their understanding of the continuing responsibility to report any such actions. The form states, " I acknowledge and understand that, should I become subject to these prohibitions in my current position or any subsequent agency position I may hold involving contact with persons in confinement or under supervision; I will notify the sheriff or member of the administration within 24 hours of my involvement in any of the above I understand that the ACSO has the authority to conduct random criminal background checks to ensure with these federal standards in relation to the ACSO's employment practices."

Indicator (g). The following passage is contained in the PREA Hiring and Promotion Prohibitions form, "in addition if I falsely certify my eligibility for employment and it is subsequently discovered that I have involvement in any of the above comma I will be subject to termination or disqualification for employment for the falsification period." There are two other documents perspective employees sign that state an individual who falsifies information can be terminated. The ACSO's employment application has a certification statement. "I hereby certify that all answers given in this application are true to the best of my knowledge if employed I realized that any false statements or omissions of material facts shall be considered sufficient cause for immediate dismissal" The employee release of information for prior employment has similar language.

Indicator (h). With proper releases of information, the ACSO allows for the agency to disclose to other institutions any PREA related concerns. Interviews confirm they may receive requests from outside employers when hiring. The ACSO investigator

speaks to prior employers who will include both prior institutional and non-institutional employers. In the last year, there were zero requests of a former ACSO staff member seeking employment at another correctional facility. The Auditor was able to see documentation to prior employers, including hospital environments, other correctional centers, and the national guard.

Compliance Determination

The Androscoggin County Sheriff's Office has policies and procedures in place' related to hiring that were in compliance with the standards. One aspect that was lacking was staff signing for the elements described indicator (a) and required in indicator (f). The agency's PREA policy 3.6.1 selection addressed various aspects of the standard's indicators, and they have adopted a new form to resolve the concern. The ASCO had all staff sign the form who work in the ACJ sign the acknowledgment form. The Auditor interviewed the Chief Deputy of ACSO who's staff completed background investigation on all employees. The agency has all staff and contractors undergo criminal background checks, including FBI fingerprint checks, the Interstate Identification Index, MV. And sexual offender registries.

The state of Maine has also set forth a process to certify all staff, including the completion of criminal background checks before correctional officers can be certified. The Auditor was also able to review appropriate personnel forms and criminal background checks for both employees and contractors. Record reviews support those employees and contractors at the Androscoggin County jail undergoing prior institutional employer checks, pre-employment criminal background checks, and subsequent checks every five years. The Auditor also reviewed the Job application, the Maine Justice Academy website, and the Contracted Health service agency policy on hiring. Compliance for this standard is based on Policies, the several levels of documentation provided in advance and confirmed during the onsite visit, and the interviews with the Chief Deputy, the Correctional Health Partners Health Services Administrator, and the Jail Administrator.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Policies and written/electronic documentation reviewed.

Androscoggin County Jail Pre-Audit Questionnaire

Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates

Jail Camera Upgrades

Individuals interviewed/ observations made.

PREA Coordinator

Jail Administrator

County Sheriff

Camera Locations

Physical plant layout

Summary Determination

Indicator (a) The Androscoggin County Sheriff's Office has in place policy language to describe the steps to be taken into consideration in any renovation of the jail. PREA Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates states, "When designing or acquiring any new facility and in planning any substantial expansion or modification (including electronic monitoring systems) of existing facilities, the ACSO shall consider the effect of the design, acquisition, expansion, or modification upon the ability to protect inmates from harm including sexual abuse." The facility has not undertaken any major modification in the past three years,

Indicator (b) The Androscoggin County Sheriff's Office has in place policy language to describe the steps to be taken into consideration in any renovation of the jail. PREA Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates states, "When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the ACSO shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse." During the tour, the PREA Coordinator pointed out where new cameras had been added to improve facility supervision of clients and reduce blind spots. The Auditor was provided documentation supporting the improvements to the camera and monitoring system with over forty new or replacement camera location upgrades plus new monitoring screens, which included additions at the staff monitoring desk. As a facility where there is not direct supervision on all the pods in units, the housing officer must go in and out of pods on tours. The new monitors have significantly improved the safety of officers entering a pod while also allowing for enhanced monitoring of inmate interactions. The staff reported the importance of knowing inmate behaviors which these new monitors provide. The Auditor Spoke with the ACJ Administration on how they use technology to improve supervision.

Compliance Determination

The Androscoggin County Sheriff's Office has not done any major renovation to its physical plant since the last PREA Audit but, as noted, has made small changes to improve safety (including PREA safety) for the inmates. The PREA Coordinator confirmed the ongoing efforts to safety needs happen at all levels of the institution. The Auditor was also told by administration and staff on the significant impact of adding the monitors to the housing officers stations improved staff and resident safety. It reportedly improved staff's ability to monitor and respond to all levels of aggression in the facility and monitor behaviors in multiple units under their supervision. Interviews with the Jail Administrator and the Sheriff further support the organization's commitment to making technology and physical plant investments that will continue to improve the safety and operation of the Androscoggin County Jail.

Compliance is based on information provided in the files on camera additions and the knowledge of staff and supervisors about blind spots and efforts made to reduce them as potential points of assault, and policy that puts in place a system of regular review. The Auditor also considered the stated interviews with the agency's leadership and the information provided by the PREA Coordinator on tour, which supported policy is put to action.

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Policy 2-6A PREA Investigations</p> <p>CHP Policy 30-06 Response to Sexual Abuse</p> <p>State of Maine Guidelines for Forensic Sexual Assault cases</p> <p>MOU with Central Maine Medical Center and St.Mary's Regional Medical Center</p> <p>MOU with SAPARS (local Rape Crisis Agency)</p> <p>Department of Health and Human Services (SAFE training.)</p> <p>Documentation supporting no Juveniles at ACJ</p> <p>Maine Attorney General website (victim compensations program)</p> <p>State Justice Academy Website</p> <p>Individuals interviewed/ observations made.</p> <p>random staff</p> <p>CHP staff</p> <p>Sexual Assault trained Investigator.</p> <p>SAPARS representative</p> <p>Central Maine Medical Center (SAFE/SANE access and services)</p> <p>Summary Determination</p> <p>Indicator (a) The Androscoggin County Sheriff's Office is responsible for the completion of criminal investigations, including sexual assaults at the Androscoggin County Jail. As a law enforcement agency, ACSO employs trained law enforcement staff with full powers of a police officer, including investigating crime in the institution. Agency Policy states, "To the extent the ACSO is responsible for investigating allegations of sexual abuse, the ACSO shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions." The Agency policy 2-6A PREA Investigations provides the investigators with a uniform standard of evidence collection on-site. The policy provides 3 pages of operational expectations for all criminal investigation evidence collection.</p> <p>The state of Maine has a protocol specifically for forensic examination and collection of evidence in sexual assault cases. The protocol was developed through the Attorney General's office with the assistance of medical, legal, and sexual assault advocates to ensure uniform practice. Neither ACSO staff nor Correctional Health Partners staff would not complete the forensic exam. Instead, the inmate victim would be sent to one of two local hospitals in the region with confirmed SANE staffing. Interviews with random staff confirmed they understand the importance of preserving evidence. They were able to identify steps needed to secure crime scenes and encourage the preservation of evidence on the reported victim and accused. The ACSO's Investigators have received training on crime scene investigation, including in a correctional environment, and their training was documented in 115.34.</p> <p>Indicator (b) The protocol, as noted in Indicator (a) developed through the Attorney General's office, covers procedures for youth, but the Androscoggin County Jail does not serve that population. The Protocol has a committee that reviews current</p>

practices and adjusts consistent with national trends for best practice. The Auditor reviewed the protocol and compared it to the U.S. Department of Justice document cited and found the topics similar. Officials in the state explained to the Auditor previously, the protocol is in the process of being updated. The Agency Investigation policy (2-6A) covers state law on investigating sexual abuse cases and addresses coordination with community resources, including the local rape crisis agency, the use of sexual assault nurse examiners at local hospitals.

Indicator (c) The Androscoggin County Sheriff's Office will offer victims of sexual assault the ability to have a forensic exam without cost. ACSO PREA policy 3.6.1 (page 10) states, "The ACSO shall offer all victims of sexual abuse access to forensic medical examinations, at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The ACSO shall document its efforts to provide SAFEs or SANEs." The Auditor confirmed with the local hospitals on the availability of Sexual Assault Nurse Examiners and that services to victims were provided without charge. The two area hospitals include Central Maine Medical Center and St Mary's Regional Medical Center. One inmate was sent out for a forensic exam in the past year. In Maine, the Attorney General's Office oversees funds in its Victims Compensation Funds that will cover the cost of any forensic examination. The Auditor found this information on the AG's website and it is also referenced in the state protocol.

Indicator (d) The Androscoggin County Sheriff's Office has entered into agreements with the local rape crisis agency to provide support services to victims of sexual assault. The Sexual Assault Prevention and Response Services (SAPARS) is part of the state coalition against sexual assault (MECASA) Maine Coalition Against Sexual Assault. The Auditor was able to review the MOU to confirm that it was current. The Auditor was provided a copy of the MOU signed in 2020, and it is renewable every two years. Both the Correctional Health Partners' policy 30-06 and ACSO PREA policy 3.6.1 address the requirements of offering victims support of a rape crisis agency. Policy 3.6.1 states, "The ACSO shall attempt to make available to the victim a victim advocate from a rape crisis center. If a rape crisis center is not available to provide victim advocate services, the ACSO shall make available to provide these services from a qualified staff member of a community-based organization, or a qualified ACSO staff member. The ACSO shall document efforts to secure services from rape crisis centers. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 42 U.S.C.14043g (b) (2) (C), to victims of sexual assault of all ages. The ACSO may utilize a rape crisis center that is part of a governmental unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a nongovernmental entity that provides similar victim services." The SAPARS representative confirmed the MOU, the availability of services at the hospital, at the Jail and during investigative interviews.

Indicator (e) Both hospital and PREA Coordinator staff confirm that a rape crisis staff would be available to help a victim through a forensic exam, criminal justice interview, and provide ongoing support and referral to the victim. The Memorandum of Understanding with SAPARS was provided to the Auditor stating this was possible. The Auditor also was able to speak with Hospital and Sexual Assault Prevention and Response Services representative on services that would occur if an incident was to occur at ACJ. The SAPARS representative confirmed that they would respond to a hospital and provide emotional support through professional visits during criminal investigator interviews.

Indicator (f) N The Androscoggin County Sheriff's Office is responsible for completing investigations at the Androscoggin County Jail.

Indicator (g) The Auditor is not required to review this indicator.

Indicator (h) The Auditor is not required to review this indicator as the ACSO has a history of providing access to victim advocates from a local Rape Crisis Agency.

Compliance Determination

The Androscoggin County Sheriff's Office has policies in place addressing concerns in this standard (3.6.1 , 2.6A, and CHP

30-06). Criminal investigative procedures are in place to ensure evidence is preserved. The criminal investigation would be done by the Investigators of ACSO who investigates crimes at the Androscoggin County Jail. The area also has two Hospitals immediately available with Sexual Assault Nurse Examiners (SANE). Sexual Assault Nurse Examiners in Maine are trained on protocols developed in the state of Maine Attorney General's Office in conjunction with a SANE advisory team and consistent with the National Protocol for Sexual Assault Forensic Exams. The Maine Attorney General's Office has produced a guideline for Sexual Assault Forensic Exams and the Care of Sexual Assault Patients. This 185-page document provided specific steps for forensic exams and was developed in conjunction with medical and legal experts from Maine. The Auditor spoke with hospital staff who confirmed the availability of SANEs. Hospital staff confirmed this service would be done free of charge and if a SANE is not on duty, one could be called in. It is also reported that the hospital would call a local rape crisis agency in addition to the protocol set up by ACJ to offer supportive services. Sexual Assault Prevention and Response Services (SAPARS) is the regional rape crisis agency who the Auditor confirmed would send a victim advocate to support the inmate through the forensic exam and any interviews as part of the investigative process. Compliance is determined based on the availability of resources to effectively investigate, secure and process evidence. The Auditor reviewed the MOU with SAPARS and discussed the availability of SANE-trained nurses at local hospitals. In addition to trained sexual assault investigators, the Auditor also considered that ACJ staff knew the importance of protecting evidence, including advising inmates to not do anything that would degrade the evidence on their person. Finally, the Auditor considered the documentation in the investigative files that supported a forensic exam occurred and the engagement of the local rape crisis agency.

115.22	Policies to ensure referrals of allegations for investigations
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="240 331 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="240 389 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="240 448 571 474">Policy 2-6A PREA Investigations</p> <p data-bbox="240 506 604 533">PREA Investigations documentation</p> <p data-bbox="240 618 679 645">Individuals interviewed/ observations made.</p> <p data-bbox="240 676 491 703">Interview with the Sheriff</p> <p data-bbox="240 734 560 761">Interview with Jail Administrator</p> <p data-bbox="240 792 903 819">Interview with PREA Coordinator and PREA Compliance Manager</p> <p data-bbox="240 851 563 878">Interview with Investigative staff</p> <p data-bbox="240 963 488 990">Summary Determination</p> <p data-bbox="240 1021 1485 1514">Indicator (a) The Androscoggin County Sheriff's Office has systems in place to ensure criminal and administrative investigations occur in a timely fashion at their Jail facility. The Agency has two policies that address the requirement of investigations of sexual abuse and sexual harassment. The PREA policy set forth the requirements consistent with standard language. The ACSO Investigation policy further commits to full proactive investigation. The policy states, "The ACSO shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment." The Androscoggin County Sheriff's Office Investigator was interviewed on the process by which he or his trained detective staff are notified of all PREA related Investigations. A review of investigative files supports that all investigations occur immediately upon the report of an incident. The Androscoggin County Jail has all allegations of sexual abuse or Sexual harassment reported to the PREA Coordinator or the Jail Administrator. If the allegation is not criminal in nature or involves an allegation of staff misconduct, then the trained Jail staff will complete the noncriminal, administrative investigation. The file provided in advance and the files reviewed on-site by the Auditor showed the PREA trained investigator was informed of the allegation quickly. The facility investigates all sexual contact, even consensual acts, between Inmates as potential PREA incidents. The facility was able to substantiate a criminal investigation into sexual abuse that occurred, and the case was referred to the local prosecutor for consideration. The Sheriff confirmed how he expects a thorough investigation of all allegations.</p> <p data-bbox="240 1603 1490 1729">Indicator (b) The Androscoggin County Sheriff's Office has two policies that address the requirements of this standard, Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates and Policy 2-6A PREA Investigations. The Policies also comply with Maine State Statutes which govern law enforcement duties. The Auditor was able to review the policies on the agency website Maine.DOC.gov.</p> <p data-bbox="240 1818 1406 1877">Indicator (c) This indicator does not apply as the Androscoggin County Sheriff's Office as it is responsible for criminal investigations.</p> <p data-bbox="240 1966 815 1993">Indicator (d) Auditor is not required to audit this provision.</p> <p data-bbox="240 2024 815 2051">Indicator (e) Auditor is not required to audit this provision.</p> <p data-bbox="240 2141 512 2168">Compliance Determination</p>

The Androscoggin County Jail has the policy and trained investigative staff in place to ensure all allegations of sexual assault and sexual harassment are investigated. The Jail has access through the Sheriff's Office to trained law enforcement staff persons who will ensure all crimes, including sexual assaults, are investigated. According to the Sheriff, incidents involving staff members are investigated by the Deputy Cheif who also completes the background investigations on all staff members.

The Androscoggin County Sheriff's Office investigates all incidents of sexual contact by inmates as a potential criminal investigation. This is done to ensure all evidence is collected even if the inmates claim initially the contact was claimed to be consensual. This process ensures evidence is secured if one of the inmate later changes his mind. Compliance was determined based on the published policy, the investigative information provided by the Investigator, and interviews with the Sheriff and the Jail Administrator. Compliance is determined utilizing the above-stated information that meets Indicators' requirements (a) and (b). Indicator (c) for standard 115.22 is not applicable because ACSO is the criminal investigative body with authority to complete investigations in the ACJ facility. Interviews further supported compliance in that the agency takes seriously all allegations, including those received through third-party sources, and ensures the impartiality of the investigation of staff-involved incidents

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>PRO: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Androscoggin County Jail PREA Training materials</p> <p>Maine Justice Academy training materials</p> <p>ACJ training records</p> <p>Individuals interviewed/ observations made.</p> <p>PREA Compliance Manager</p> <p>Random staff</p> <p>Summary Determination</p> <p>Indicator (a) The Androscoggin County Jail ensures all staff are trained in the agency's Zero Tolerance for Sexual Misconduct and the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment allegations. In policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates, the policy set forth training requirements, including a description of all the elements listed in Indicator (a). The policy states the following</p> <p>"1. The ACSO shall train all employees who may have contact with inmates on:</p> <ul style="list-style-type: none"> a. Zero-tolerance for sexual abuse and sexual harassment; b. How to fulfill their responsibilities under ACSO sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; c. Inmates' right to be free from sexual abuse and sexual harassment; d. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; e. The dynamics of sexual abuse and sexual harassment in confinement; f. The common reactions of sexual abuse and sexual harassment victims; g. How to detect and respond to signs of threatened and actual sexual abuse; h. How to avoid inappropriate relationships with inmates; i. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex ("LGBTI"), or gender nonconforming inmates; and j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities." <p>The Auditor reviewed the training materials from the Androscoggin County Sheriff's Office and the Maine Justice Academy to confirm the elements were addressed. The 44-page PowerPoint covers the requirements of this indicator. The PREA Compliance Manager confirmed that no matter what role in the institution, all employees are aware of their role in preventing, detecting, and responding to sexual assault and sexual harassment of inmates. In interviews, random staff were able to describe things they do daily to keep inmates' PREA safe. The staff members knew the signs and symptoms of someone</p>

who may be victimized, the rights of inmates related to PREA, and were able to give examples of why sexual assaults may occur. Staff persons confirmed they get training on how to avoid getting into inappropriate situations with an inmate, the criminal liability for failing to report a PREA incident, and how to work with LGBTI Inmates respectfully. The staff knew to use the transgendered or intersex inmate's preferred name and pronouns. They were aware that a multidisciplinary committee reviewed the transgender inmate's case individually to determine housing, canteen items they can have, search procedures, and treatment planning.

Indicator (b) The Androscoggin County Jail is a co-correctional environment. All employees are trained in working with both male and female inmates, including how males and females may differ in their reactions to abuse. Staff provided examples of the different ways women and men might be targeted for sexual abuse or how as victims, their reactions might differ. A review of the PowerPoint slides (pages 13-15) provides information on gender and victimization. It also describes how each gender may display their victimization differently.

Indicator (c) The ACJ employees and contractors report they receive training on PREA annually. Individuals who require state certification would have received classroom instruction at the state's Justice Academy. All new staff get an education at ACJ on PREA upon hire, at the academy, and then annually. Staff records and their knowledge of the training information indicators support they receive training frequently. Staff report they get a full PREA specific training annually and will get updates to policies at times. The training roster showed participants, which is consistent with the number of staff employed at the facility. Agency policy states, "All current employees shall be trained, and the ACSO shall provide each employee with refresher training every two years to ensure that all employees know the ACSO's current sexual abuse and sexual harassment policies and procedures. In years in which an employee does not receive refresher training, the ACSO shall provide refresher information on current sexual abuse and sexual harassment policies."

Indicator (d) The PREA Compliance Manager supports that all staff have to acknowledge an understanding of PREA to get credited for the annual training hours. The Auditor reviewed the institutional training records that support all staff completing the mandatory class, not just correctional officers. Agency policy also addresses requirements, "The ACSO shall document, through employee signature or electronic verification that employees understand the training they have received." The facility has all employees complete an exam on the training as proof of understanding of the materials.

Compliance Determination

All staff are trained in Androscoggin County Jail's Zero Tolerance policies toward sexual assault and sexual harassment. The employees confirmed they have been trained on PREA and understand their duties related to policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates, including how to protect, detect and respond to incidents of sexual harassment or sexual abuse. In addition to the records provided in advance, the Auditor requested the training records of six staff persons, which further supported annual training when reviewed. In addition to reviewing the training materials in indicator (a), the Auditor considered the staff's ability to describe these elements in their interviews, which supported the retention of the information.

Compliance determination was based on training records, the materials used in presentations and random staff ability to share examples of the content they had learned as part of PREA training consistent with standard requirements. The Auditor was provided with training records of 11 random staff supporting compliance.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>PRO: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Civilian Handbook</p> <p>Training materials for Contractors and Volunteers</p> <p>Contractor PREA education Sign Off forms</p> <p>Volunteer PREA education sign off forms</p> <p>Individuals interviewed/ observations made.</p> <p>PREA Coordinator</p> <p>Correctional Health Partners Contracted staff</p> <p>Observation on tour</p> <p>Summary Determination</p> <p>Indicator (a) All Contractors providing direct service to inmates at the Androscoggin County Jail are employed by Correctional Health Partners Health, a Medical/ Mental Health treatment provider. All contractors or volunteers who have routine access to the facility are required to undergo the PREA education program. As part of that program, the individuals are trained on PREA consistent with the agency policy (3.6.1 Page 10), which outlines training expectations to inform them how to support a zero-tolerance culture and knowing when and how to report concerns. The policy states, "The ACSO shall ensure that all contractors, interns, and volunteers who have contact with inmates have been trained on their responsibilities under the ACSO's sexual abuse and sexual harassment prevention, detection, and response policies and procedures." Covid-19 has limited outside access to the facility over the past 18 months.</p> <p>Indicator (b) The ACSO policy speaks to the indicator in describing a training program consistent with level of access to inmates."The level and type of training provided to contractors, interns and volunteers shall be based on the services they provide and level of contact they have with inmates, but all contractors, interns and volunteers who have contact with inmates shall be notified of the ACSO's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents." Staff providing direct services to Inmates (Correctional Health Partners) undergo ACJ training annually. Individuals who have routine visits (religious staff, educational volunteers. etc.) get an abbreviated educational program. The Auditor was provided examples of orientation training materials for any new contractors/volunteers, including the ACJ Civilian Handbook. Volunteers who provide inmates services were not immediately available for interviews as the facility was limiting access during the Covid-19 crisis.</p> <p>Indicator (c) PREA policy 3.6.1 (page 10) requires the agency to keep track of the training. The policy requires individuals to sign for the information they receive. "The ACSO shall maintain documentation confirming that contractors, interns and volunteers understand the training they have received." The Auditor was also given documentation to show that all individuals who enter the ACJ facility must sign PREA acknowledgment forms. The form states, "I, _____ have received and understand this information regarding PREA. I acknowledge the Androscoggin County Jail has a Zero-Tolerance for all sexual harassment and sexual abuse. I understand how and when to report any incidents of sexual abuse and sexual harassment.." A sampling of volunteer's and contractor records confirmed they had signed off on the form. The Auditor was also able to speak to contractors as part of the audit process to confirm they were educated on PREA. There were no classes for volunteers since March of 2020 due to the COVID-19 pandemic.</p>

Compliance Determination

ACJ is compliant with the standard expectations. The facility ensures all contractors and volunteers receive training in the agency efforts to prevent, detect and respond to sexual assault and sexual harassment. Training records, interviews with contractors on the tour, and formal interviews support they have received comprehensive training equivalent to their level of contact with the Inmates. Training records and interaction with contractors as part of the tour clearly support understanding the agency's Zero Tolerance to PREA related issues. Compliance was determined through supporting documents, random contractors, and interviews with the contracted staff persons who were able to identify training elements. Because of the Covid-19 limitation on volunteer access, the auditor could not meet with employees who were not contracted. The Auditor was able to use the volunteer training materials and past documentation of training for this group to support compliance.

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>PRO: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates education records</p> <p>Inmate phone system</p> <p>Inmate Handbook</p> <p>Inmate PREA Brochure and orientation Video)</p> <p>Inmate Acknowledgement form</p> <p>Individuals interviewed/ observations made.</p> <p>Intake Staff Person</p> <p>Classification staff</p> <p>Inmates</p> <p>Observation on tour of PREA Signage in three languages</p> <p>Observation of the PREA Video.</p> <p>Summary Determination</p> <p>Indicator (a) All Inmates are provided information about PREA upon admission to the Androscoggin County Jail. Some inmates report having been exposed to PREA education through the county Jail system in Maine or if they previously were in the Maine DOC system. Inmates are provided a description of PREA and how to protect themselves, how to report a concern and what services are available if someone has been a victim upon admission. The Auditor did not observe the admission process during the audit but had the steps described to him by a trained intake staff.</p> <p>An intake officer described the steps they go over routinely related to PREA. This includes informing them on how to report and the facility brochure about PREA that is reviewed at intake. ACSO's PREA policy 3.6.1 sets forth the requirement of initial education of all new detainees upon admission. "During the intake process, inmates shall receive information explaining the ACSO's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment." The inmates also get a PREA brochure at intake and sign that they received PREA information as part of the intake process. The document they sign reviews key elements of the education. "The Androscoggin County Sheriff's Office (ACSO) requires that all inmates adhere to all legal and policy requirements regarding the prohibition on sexual abuse and sexual harassment.</p> <ul style="list-style-type: none"> · ACSO has a Zero-Tolerance policy for sexual abuse and sexual harassment. · The jail orientation / PREA educational video will be shown once daily in the housing units. · You were provided a PREA brochure in intake prior to being moved to housing. · PREA information and reporting options are available through the following: PREA posters in each zone, and the inmate handbook. · You may report verbally to any staff member to include security, programs, & medical/mental health staff. · You can report anonymously by calling the inmate PREA hotline by dialing 1712 followed by your pin # or in writing to the PREA Coordinator.

- All third-party reports will be investigated.
- All inmates who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation from inmates and/or staff.
- You have the right to treatment and counseling at no charge to you if you are the victim of sexual abuse or sexual harassment. Victim advocates are available either upon request or by dialing 1712.
- All allegations will be investigated. There are sanctions for making false allegations.”

The form goes on to have the inmate acknowledge they understand how to report a concern, the prohibition of any sexual activity, and the consequences for those who engage in sexual misconduct. The Inmates are informed of the consequences for engaging in sexual misconduct, including potential criminal liability.

Indicator (b) All Inmates at ACJ are provided with the facility-specific PREA information at intake within 30 days in the facility entering the facility. The Auditor was informed the only time an inmate should not have this completed within the 30-day requirement if they are in disciplinary segregation or in medical isolation/observation. In these environments, they remain in single cells and receive education upon placement back in the general population. ACJ reports 99% compliance in the past year of inmate ongoing education.

All inmates have access to the PREA Materials on the unit video Phones or on tablets they can purchase or are available for community use. The materials explain the steps the facility will take to investigate and support individuals if an incident occurs. The inmates can see written PREA materials, the PREA Education Video and the inmate handbook. Random inmates confirmed education into PREA though many reports they have not accessed the materials. The Auditor discussed ways to improve orientation with the facility to ensure residents understand all the reporting options.

Indicator (c) All Inmates at the Androscoggin County Jail have received an education into PREA and how to report any concern at intake. All inmates have received the additional training unless, as noted in indicator (a) they were in disciplinary segregation or medical/Mental Health isolation. The sample report provided supported 99% of the population received the orientation within 30 days. Androscoggin County Jail documents both the education at intake and the orientation education. A limited number of inmates are transferred to ACJ from other pretrial jails, but they receive PREA education again upon admission and go through the orientation if they stay long enough. Inmates interviewed included individuals transferred to ACJ from another county jails whom report they were educated about PREA upon admission. Agency policy requires PREA education on all admissions, including transfers from other correctional facilities. ‘Current inmates who have not received such education shall be educated within one year of the effective date of the PREA standards and shall 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.’

Indicator (d) Education is available to inmates at ACJ in multiple languages and forms from written to video to large print documents. The videos can include closed captions for hearing-impaired inmates. Inmates support that they can go to staff if they need assistance in comprehension of written or oral PREA education. The assistance is available to any individual who needs assistance, including those with physical disabilities, cognitive limitations, or not reading. Many Inmates stated that PREA was not a concern, but they knew the information was available and stated there were people who could help, including line officers, classification staff or clinicians. During the tour, the Auditor saw PREA Information in three languages and had an inmate show me how to find PREA information and the detainee handbook on the housing unit video phone system. The PREA Coordinator reports, “The ACSO shall provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.’ The Auditor confirmed this in interviews with inmates and observations while moving about the facility. There were no current LEP inmates at ACJ, but bilingual confirmed information formats include their other language.

Indicator (e) Records were reviewed for a random sampling of clients. The Auditor picked a random sample of 11 current client files, including residents of each housing unit to review education documentation. The Auditor also asked for samples of five residents’ discharges earlier this year. The Auditor reviewed documentation to ensure the clients had signed for the PREA education provided at ACJ. The signed forms and inmate interviews support they have received PREA education. Documentation of PREA education is required, “The ACSO shall maintain documentation of inmate participation in these education sessions.”

Indicator (f) Agency PREA Policy 3.6.1 addresses the requirements of the indicator. "In addition to providing such education, the ACSO shall ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats. The jail orientation video and the PREA video will be played every Saturday, and Sunday in the morning on day shift. When the video is played it will be documented in each Zones (IMC) Electronic Log." Observations throughout the tour support there is materials available to Inmates continuously. The information viewed included electronic handbooks, posters, and other signage about PREA or the local rape crisis agency resources. Only the segregation unit does not have video phone system but does have postings and the unit phone to make calls from. Inmates have access to tablets that provide the same information found on the unit video phone, including PREA specific information and institutional information such as the inmate handbook.

Compliance Determination

The Androscoggin County Sheriff's Office PREA policy 3.6.1 sets forth on page 3 the expectation of the timeliness of inmate education, manners in which education is delivered, and the requirement for educating all inmates, including LEP and disabled inmate education. Inmates at ACJ confirm they are educated on PREA and the zero-tolerance expectations as soon as they get to the facility. PREA information is reviewed with the inmate by the Intake Officer, and they are provided a PREA brochure and informed about the handbook containing PREA information. The information reviewed is signed by the inmates and placed in their case records. The facility has PREA educational materials available to Inmates in the form of brochures and posters in addition to the handbook. The handbooks inform Inmates about consequences for negative behavior, including sexual misconduct. It also informs the reader about PREA and the importance of reporting and seeking help. Information, available in multiple languages, also includes contact information to the state DOC PREA Coordinator and the local rape crisis agency.

ACJ has provided multiple ways to inmates to access PREA information at intake and throughout their stay. Compliance determination considered the supporting educational documents, the Inmates' answers about training, and their knowledge about facility-specific steps for reporting a concern. Further supporting compliance is the Auditor's review of client records that showed their education, the materials viewed during the tours, and the technology the ACSO has invested in to ensure inmates are informed of the agency's zero-tolerance policy.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 329 798 356">Policies and written/electronic documentation reviewed.</p> <p data-bbox="240 387 746 414">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="240 445 1198 472">PRO: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="240 504 703 530">Training certificates for Investigators from NIC</p> <p data-bbox="240 616 679 642">Individuals interviewed/ observations made.</p> <p data-bbox="240 674 430 701">PREA Coordinator</p> <p data-bbox="240 732 590 759">Interview with trained Investigators</p> <p data-bbox="240 790 416 817">Investigative files</p> <p data-bbox="240 902 488 929">Summary Determination</p> <p data-bbox="240 960 1477 1155">Indicator (a) The Androscoggin County Sheriff's Office employs its own investigative body for criminal cases. The ACSO employs Detectives to investigate all crime allegations in the institution. Non Criminal investigations are completed by ACJ trained staff, including the PREA Compliance Manager, The ACSO Deputy Cheif also investigates allegations involving correctional officers. The ACSO staff are law enforcement officials certified by the State of Maine and empowered to investigate and arrest. The Auditor reviewed Detective's certifications which they attended with the Maine DOC. The Auditor is familiar with the course which was developed by the PREA Resource Center and the Moss Group.</p> <p data-bbox="240 1187 1461 1411">The Auditor provided information supporting that ACJ has trained two individuals through the NIC course to complete investigations in a correctional setting. Policy requires Jail staff to be trained in completing investigations "In addition to the general training provided to all employees pursuant to § 115.31, the ACSO shall ensure that, to the extent the ACSO itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings." The Assistant Jail Administrator confirmed that the Jail staff will only investigate non-criminal allegations and that if they were unsure if the allegation met criminal thresholds, he would refer the case to the ACSO detectives.</p> <p data-bbox="240 1500 1481 1830">Indicator (b) The Auditor reviewed the NIC training to ensure the content was consistent with the standards required by the standard. The training materials and the interview with a trained investigator confirmed the training covered how to communicate with a victim of sexual assault, the use of Miranda and Garrity Warnings, proper steps in the collection and preservation of evidence, and the factors in making a determination of substantiation for administrative action or prosecutorial referral. The Auditor also spoke with the investigator on how they would implement the elements of the training in the course of an investigation. Agency policy states "Specialized training shall 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 evidence required to substantiate a case for administrative action or prosecution referral." The Auditor also confirmed familiarity with the state protocols for the investigation of sexual abuse cases/forensic exams. The Maine DOC course included legal experts from the state criminal court system.</p> <p data-bbox="240 1919 1490 2013">Indicator (c) Training records were provided for staff who complete investigations. Copy of the certificate were also included in the file. Agency policy addresses the requirement, "The ACSO shall maintain documentation that ACSO investigators have completed the required specialized training in conducting sexual abuse investigations."</p> <p data-bbox="240 2103 871 2130">Indicator (d) The Auditor is not required to review this indicator.</p>

Compliance Determination

The Androscoggin County Sheriff's Office ensures that staff who complete investigations have received appropriate training on investigating sexual assault in a correctional setting. Documents and interviews support that the facility's investigators are trained in the requirements of a PREA related investigation. Examples of investigations completed and the supporting training documents also supported the Auditor's findings.

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>PRO: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>PRO J-F Response to Sexual Abuse</p> <p>Correctional Health Partners Training slides for Med/MH Staff</p> <p>Training records for Correctional Health Partners Staff</p> <p>PREA Response Plan</p> <p>Individuals interviewed/ observations made.</p> <p>Medical Staff</p> <p>Mental Health</p> <p>Interview with Hospital staff</p> <p>Summary Determination</p> <p>Indicator (a) Androscoggin County Sheriff's Office PREA policy requires specialized trainings for medical and mental health staff. "The ACSO shall ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:</p> <ol style="list-style-type: none"> a. How to detect and assess signs of sexual abuse and sexual harassment b. How to preserve physical evidence of sexual abuse c. How to respond effectively and professionally to victims of sexual abuse and sexual harassment d. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.." <p>The Androscoggin County Jail employs the services of Correctional Health Partners Health Care Services, a private Correctional Medical, and Mental Health Services Provider. The Correctional Health Partners staff completed the National Institute of Corrections training for medical and mental health professionals on PREA. Included in the training materials was information that the training addressed signs and symptoms of abuse, communication with a victim, reporting an allegation, and preserving evidence. Interviews with nursing staff support awareness that they should not clean any injuries and only treat critical health concerns before being transport to the hospital for a rape kit. Correctional Health Partners staff knew who to report PREA concerns to in the jail and within their supervision chain.</p> <p>Indicator (b) The staff do not complete a forensic exam. Discussions with the local hospital confirmed the availability to have trained nurses perform sexual assault exams. ACJ Nurses spoken to formally and informally confirmed their training discussed steps to protect DNA.</p> <p>Indicator (c) Documentation was provided to the Auditor for the Correctional Health Partners Health staff confirming the specialized training was completed. The Auditor reviewed the training materials from the NIC course PREA 201 for medical and mental health professionals and considered the materials' staff knowledge. Individuals in both the medical and mental health staff confirmed they had completed the specialized trainings as well as the ACJ training on PREA.</p>

Indicator (d) A review of the training record and the interview with staff confirms that all Correctional Health Partners staff receive the same training as the ACJ employees annually and the training described in 115.32. ACJ training records reviewed by the Auditor further support compliance.

Compliance Determination

Correctional Health Partners employ medical and Mental Health Staff at ACJ. They have completed appropriate PREA training provided through the NIC with a medical and mental health focus. The Auditor met formally with Correctional Health Partners staff and asked other Correctional Health Partners staff questions on tour. Medical and Mental Health staff knew to whom to report allegations and suspicions of sexual abuse or sexual harassment. They were able to explain the reporting would be up their agency chain of command while also notifying the chain of command of the prison. Medical and Mental Health staff knew to also report any concerns to the PREA Coordinator, Captain or Jail Administrator. Correctional Health Partners staff will not do forensic medical examinations but are aware of how to protect evidence and what facilities they would refer inmates to for an exam by a SAFE or SANE if needed. Compliance is based on the knowledge of the Correctional Health Partners staff in their understanding of how to protect the inmate victim and evidence and how to provide ongoing support. As noted, Indicator (b) is NA, but the auditor confirmed the availability for the forensic exam by certified Sexual Assault Forensic Examiners exist in the community.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>ACJ PREA Screening Guide</p> <p>Classification review forms</p> <p>Sample Screening</p> <p>Auditor Selected files for review</p> <p>Individuals interviewed/ observations made.</p> <p>Jail Administrator</p> <p>PREA Coordinator</p> <p>Correctional Health Partners Health staff.</p> <p>Classification Officer</p> <p>Random Inmate</p> <p>Intake staff</p> <p>Observations on tour</p> <p>Summary Determination</p> <p>Indicator (a). All inmates, including transfers admitted to Androscoggin County Jail, are screened for potential victimization no matter how often or how recent they have been in custody. PREA Policy 3.6.1 sets forth this requirement, the policy states, "All inmates shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates." At ACJ, a trained Intake officer completes screening with all admission using an objective screening tool. The facility utilizes information provided in both interviews and review of records to ensure accuracy. The Auditor was provided examples of record of admissions and reviewed onsite a random sample of current population to review. All screening are reviewed by the Programming Supervisor. Inmates spoken with all confirmed they were asked questions consistent with the PREA screening tool. The inmate report this is done with in the first hour of the admission.</p> <p>Interview with the intake officers confirmed that the process of a detainee being transferred into the county Jail is no different than that of an admission from the local police.</p> <p>Indicator (b) The Policy states, consistent with the standard requirement, "Intake screening shall be completed prior to assigning housing from intake, which ordinarily will take place within 72 hours of arrival at the facility." Though the policy states it can be done in the first 72 hours, it is reported that it is normally completed in the first hours of admission. The Intake area has individual cells that new inmates who are not able to be processed can be placed until they can aid in their admission. All files reviewed and interviewed inmates confirmed they had been screened in a timeframe sooner than the standard obligation. The Auditor reviewed files of current and former inmates for compliance with the timeliness and reviewed the ACJ pre-audit report confirmed inmates are screened for risk of abuse within the first 72 hours. Inmate interviews confirmed they were asked questions consistent with a screening process on the day of admission. Discussions with facility administration confirmed that the majority of the population held over 72 hours.</p>

Indicator (c) The Androscoggin County Sheriff's Office has developed a tool for screening inmates for potential sexual violence or sexual victimization. PREA policy language requires the process to be objective, "Such assessments shall be conducted using an objective screening instrument (3.6.1-S) Initial PREA Risk Screen." The tool utilizes information from the inmate's criminal records, other correctional settings, and self-reported information. The results of these answers are used based on a scoring matrix to determine their screening results. The Intake Officer will ask a series of questions at admissions based on the screening tool, they will also gather information from the criminal record data base. Finally the Medical staff will also ask a series of questions that will inform the screening process. The screening process provides an objective result by scoring risk of vulnerability and risk of aggressiveness. In these two areas the individual is scored as a known or potential victim or perpetrator bases on the number of questions listed as yes. In the individual doen not meet the threshold for either category they are listed as unknown. The screener confirmed that potential y a person can screen as both a known perpetration of sexual abuse and the known victim of sexual abuse.

Indicator (d) A review of the objective tool used in the Androscoggin County Jail shows that it accounts for all ten elements required in this indicator. Agency policy defines elements consistent with the standard. "The intake screening shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- a. Whether the inmate has a mental, physical, or developmental disability
- b. The age of the inmate
- c. The physical build of the inmate
- d. Whether the inmate has previously been incarcerated
- e. Whether the inmate's criminal history is exclusively nonviolent
- f. Whether the inmate has prior convictions for sex offenses against an adult or child
- g. Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex "LGBTI", or gender nonconforming
- h. Whether the inmate has previously experienced sexual victimization
- i. The inmate's own perception of vulnerability
- j. Whether the inmate is detained solely for civil immigration purposes"

Both the intake staff, nurse, and inmates confirm the process is done individually away from other detainees to provide the inmate with the opportunity to disclose any concerns. All random inmates interviewed including some LGBTI inmates support the process does include staff asking them about the feeling of safety in the environment. Medical staff ask some of the more sensitive question in the two part process developed by ACJ. This is under the belief that a person with past victimization would be more likely to disclose to a medical professional than a uniformed officer. This also allows to silo sensitive information about past abuse to the Correctional Health Partners health record which has limited access. Information on past victimization or perpetrating behaviors would be forwarded to the mental health department. The PREA scoring results are also limited to classifications and facility management.

Indicator (e) The Androscoggin County Sheriff's Office tool considers the inmate's history of violence or sexual abusiveness in the community and prior institutional settings. The agency policy, the screening guide and the actual tool reviewed by the Auditor support that individuals are screened for potential sexual aggressiveness. Policy 3.6.1 states, "The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the ACSO, in assessing inmates for risk of being sexually abusive." Individuals who screen as known or potential aggressors are kept away from known or perpetrators. The facility uses a system classify them as keep separates or separate outs on units where potential victims and Potential perpetrators have to be house on the same unit. This would more commonly be an issue on the female units as there are less units than the male population to keep individuals apart.

Indicator (f) The ACSO policy requires the inmates to be reassessed within 30 days. The Policy states, "Within 30 days from the inmate's arrival at the facility, Classifications will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received since the intake screening. Classifications will use the Initial PREA Risk Screen for assessments.." The Auditor confirmed with the classification Officer that these assessments occur in the stated time period but through further discussion with the staff and administration key elements around the inmates, past victimization history, their actual or perceived sexuality and their perception of safety were not being asked before the completion of the 30 day reassessment. The Auditor also confirmed this through the random inmate interviews. The ACJ immediately adjusted the screening form to include a documentation required. The Auditor discussed the need to see the initialization of the process. The facility agreed to provided the auditor a sampling of the population over the next three months. The Auditor received in emails and in document uploaded to the OAS that the changes made had been institutionalized. The form now prompts the staff to again ask questions about the clients victimization history, their sexuality and their perception of safety from sexual abuse or harassment. The PREA Compliance Manager oversees the Programs units and is able to ensure that the classifications are completed with the new process and within a timely period.

Indicator (g) Policy 3.6.1 (page 12) states. "An inmate's risk level shall be reassessed 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 Auditor was able to ask staff informal interviews and review documentation to support PREA reassessments occur for several reasons. The inmate would be reassessed if they were either the victim or the perpetrator of sexual violence, if they engaged in consensual sex in violation of facility rules if additional information becomes known that would affect the scoring. The Auditor confirmed these expectations with the PREA Coordinator, the Classification staff, and Correctional Health Partners Health staff. The facility does not have any incidents of sexual abuse or misconduct in the past year that would have changes a PREA score.

The ACSO shall control the dissemination within the facility of responses to questions asked during this screening in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates." The computer system for medical is separate from the ACJ custodial management system. This limits staff access to the screening information, including sensitive information that could be used to manipulate the inmate. Disclosures made in the Medical or Mental health record are completely siloed from the custody staff. The Health Services Administrator confirmed that critical information is kept in separate. Only trained intake staff and classification staff who complete the screening are able to see screening results.

Compliance Determination

All inmates have been screened utilizing an objective tool. The tool covers the elements of indicators (d) and (e). The facility's intake staff showed the auditor the process by which all inmates are initially scored upon admission. Staff and inmate support this process begins within the first hours on site. The tool uses information from the inmate's current arrest, prior information in the agency records system, and direct interview questions by both custody and medical staff. By dividing the tool into separate parts, the more sensitive information around one sexuality and prior victimizations would be contained in separate electronic medical records. Once the initial score is determined, an appropriate housing placement is determined, and the form goes to classification to be reviewed for accuracy. The screening allows assignment of a system of "keep separate" codes to ensure likely victims and likely perpetrators are not housed together. Through the interview process the Auditor determined that residents were not being asked key elements associated with reassessing inmates. The agency immediately change process including additional changes to the screening instrument which will improve documentation of compliance. The PREA Compliance Manager developed a screening guide during the post audit period to ensure all staff trained to complete the tool understand how to ensure consistency of practice, and corrective action changes are implemented.

The Androscoggin County Sheriff's Office has policy and an objective screening tool for all inmates admitted to the Androscoggin County Jail. The tool contains all required elements found in standard 115.41 and has an accompanying reference guide to ensure consistent application of definitions and methodology for scoring the tool. The agency has policy in place that sets forth the timeliness requirements for initial screening within 72 hours. The Auditor has worked with the Agency PREA Coordinator and PREA Compliance Manager to develop a plan to address the noncompliance of indicator (f) the mandatory rescreening within 30 days. The agency will track inmates over a 90-day period and provide a sample of intakes that remain in the facility for 30 days. This plan was executed with the facility sending me samples of reassessments utilizing the adjusted screening form. The Auditor took this into consideration along with the newly developed document on how to use the screening instrument and the training that was reportedly provided to all individuals who complete screenings. The Agency's quick response to correcting the noncompliance supports the effort to utilize information to keep individuals safe and provide appropriate access to support for those with victimization histories. The Auditor finds the standard to have been met as a result of these stated efforts.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Transgender Review Committee Meeting notes</p> <p>Classification tracking</p> <p>Search Preference form</p> <p>Individuals interviewed/ observations made.</p> <p>PREA Coordinator</p> <p>Intake Officer</p> <p>Classification</p> <p>Housing Officers</p> <p>Random Staff</p> <p>Random inmates</p> <p>Observation on tour</p> <p>Summary Determination</p> <p>Indicator (a) The ACSO policy that addresses prevention covers the 5 elements of this standard indicator (Policy 3.6.1 Page 12). Policy language includes, “ The ACSO shall use information from the risk screening required by §115.41 to inform 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. The ACSO shall make individualized determinations about how to ensure the safety of each inmate.” The PREA screen used at ACJ provides immediate assistance in determining the appropriate housing unit for any new inmate. If an individual is a known perpetrator of sexual offenses, they would be prohibited by the agency’s electronic case management system from being placed in the same cell as an individual with a known victim history. As a pretrial facility there is no required therapeutic programs, but individuals can be referred to treatment with Correctional Health Partners health staff or can be referred to SAPARS, the local rape crisis agency. As a jail, there are limited work positions for inmates, but PREA scores could impact employment opportunities for inmates. The classification team which is supervised by the PCM will not allow individuals with conflicting PREA scores to be placed in same groups such as work details or educational programs. Off unit work recommendations would take into consideration aggressiveness. Off unit work at ACJ includes cleaning crew, the foodservice crew, and laundry.</p> <p>Indicator (b) The Jail Administrator and the PREA Coordinator discussed how the facility looks at the safety need of all individuals at intake and throughout the inmate’s stay. Unit housing staff and Sergeants support they monitor closely individuals who may be targeted by peers or those they perceive could be easily manipulated. Staff Random staff repeatedly stated in interviews the importance of learning the inmate’s routine and so they can identify when the behaviors change. The random inmates interviewed supported that staff are approachable, take any threat seriously, and confront negative behaviors, including any form of sexual harassment. Interviews with staff also confirm they would act if the inmate voiced concerns. During the initial screening process, inmates are asked about their perception of safety by medical staff. Transgender or intersex inmates are also asked about housing and safety needs. All inmates also have an opportunity to discuss concerns with mental health and with classification staff during the reassessment period any new or ongoing concerns.</p>

Indicator (c). At the time of the site visit, no individual identified as transgender or intersex. One individual reported previously identifying as transgender. The Androscoggin County Sheriff's Office has a policy language on working with Transgender and Intersex individuals. Policy 3.6.1 defines for the reader the purpose and goal of the ACSO to ensure a safe and nondiscriminatory environment. "In deciding whether to assign a transgender or intersex inmate to a housing unit for male or female inmates, and in making other housing and programming assignments, the ACSO shall consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems. Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate. A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates." The ACJ has housed transgender individuals in the facility in a manner that coincides with their preference. The Transgender case files reviewed supported the process for making decisions is on a case by cases basis for their needs. The Auditor's interview with a current identified transgender individual confirmed and a individual who previously identified as transgender support that their safety was considered.

Indicator (d) The Transgender committee meets with inmates upon admission, at six months or at any significant point between. As stated in indicator (c) the ACJ has policy in place requiring thr . Interviews by the Auditor with Transgender inmates confirm these meetings occur at intake but a review of the tracking report supported the prior trans individuals admitted were released before reaching the six month period.

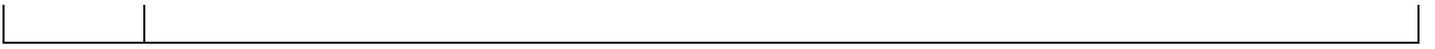
Indicator (e) The once identified transgender inmate and current individual interviewed confirmed a meeting that occurs shortly after admission with a multidisciplinary team to discuss the supports and considerations the inmate wishes to request. A once Transgender individual supported the process, allowing them to make requests as to housing programming searches, shower accomodations and personal items to improve their overall comfort in the facility. As stated in indicator (b) inmate's feeling of safety is part of the process considered by the multi-disciplinary team when planning. If the request is denied, the inmate is reportedly provided the reasoning behind the denial.

Indicator (f) ACSO policies 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates, requires that transgender Inmates can shower separately from other inmates. "Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates." The shower set up in the housing units does not include gang showers or showers adjacent to other toileting facilities. Transgender individuals can shower In units, privacy is maintained through opaque cutains that allow only the feet and the tops of the inmate's head to be seen. The Auditor confirmed that Transgender inmates would shower separately from the rest of the population during lock-up periods. This was confirmed in discussions on the tour and in interviews with transgendered individuals.

Indicator (g) The Androscoggin County Jail does not, by policy, practice, or legal requirement, house all LGBT inmates in one housing unit. There is no legal judgment requiring such a condition to exist. This was confirmed with interviews with the PREA Coordinator, random staff, and LGBTQI inmates. The Auditor reviewed the population report to further ensure this was not the practice at ACJ. Policy 3.6.1 states, "The ACSO shall not place lesbian, gay, bisexual, transgender ("LGBTI"), or intersex inmates in dedicated units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates."

Compliance Determination

The Androscoggin County Jail as a pre-trial facility, utilizes the information from inmate screening to protect their safety and limit the likelihood of assaults. The agency has demonstrated how the information obtained at intake is used in the facility at multiple levels. The documentation and Interviews completed support systems are in place to work with all LGBTQI detainees and provide extra support when needed to Transgender, intersex, disabled, LEP or other populations who others might target for abuse, harassment, or manipulation. LGBTI individuals spoken were ambivalent or supportive that the environment is safe for them.



115.43	Protective Custody
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="240 331 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="240 389 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="240 448 751 474">Documentation from PREA Coordinator on PC use</p> <p data-bbox="240 618 679 645">Individuals interviewed/ observations made.</p> <p data-bbox="240 676 432 703">PREA Coordinator</p> <p data-bbox="240 734 504 761">Special Housing Unit staff</p> <p data-bbox="240 904 488 931">Summary Determination</p> <p data-bbox="240 963 1481 1155">Indicator (a) The Androscoggin County Jail has not housed any individual in segregation for being an actual or potential victim of sexual assault in the past three years. PREA policy 3.6.1 states, " Inmates at high risk for sexual victimization shall not be 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 ACSO cannot conduct such an assessment immediately; the ACSO may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment."</p> <p data-bbox="240 1303 1449 1393">Indicator (b) Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the ACSO restricts access to programs, privileges, education, or work opportunities, the ACSO shall document:</p> <ul style="list-style-type: none"> <li data-bbox="240 1429 676 1456">a. The opportunities that have been limited; <li data-bbox="240 1487 603 1514">b. The duration of the limitation; and <li data-bbox="240 1545 606 1572">c. The reasons for such limitations. " <p data-bbox="240 1603 1497 1693">Discussion with staff working the unit confirmed there have been no cases but that protective custody individuals have access to opportunities a disciplinary inmate would not have. The Jail administrator supported they would consider many other options before placing the victim in any form of restrictive housing. The preference is the move the aggressor.</p> <p data-bbox="240 1783 1477 1975">Indicator (c). As noted in indicator (b) the Jail Administrator stated the facility would not want to place any further restrictions on an inmate victim that what is necessary to ensure safety. Policy 3.6.1 states, "The ACSO shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days. If an involuntary segregated housing assignment is made pursuant to paragraph (1) of this section, the ACSO shall clearly document: a. The basis for the ACSO's concern for the inmate's safety; and b. The reason why no alternative means of separation can be arranged."</p> <p data-bbox="240 2065 1493 2123">Indicator (d) As noted in indicator (c) the agency policy covers the requirements. Absent a case to review the Auditor can only consider the policy statement and administration descriptions on how they would handle such situations.</p>

Indicator (e). Agency Policy addresses the fact that if someone was housed involuntarily in a form of segregation, the case would be reviewed regularly. "Every 30 days, the ACSO shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population."

Compliance Determination

Absent a case of involuntary segregation at the Androscoggin County Jail; the Auditor must base compliance on policy, an understanding of general segregation rules, and interviews with staff working the units and the Jail Administrator.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 329 798 356">Policies and written/electronic documentation reviewed.</p> <p data-bbox="240 387 746 414">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="240 445 1206 472">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="240 504 403 530">PREA Brochure</p> <p data-bbox="240 562 424 589">Inmate Handbook</p> <p data-bbox="240 620 389 647">PREA Posters</p> <p data-bbox="240 730 679 757">Individuals interviewed/ observations made.</p> <p data-bbox="240 788 416 815">Random Inmates</p> <p data-bbox="240 846 453 873">Observations on tour</p> <p data-bbox="240 904 386 931">Inmate tablets</p> <p data-bbox="240 963 553 990">Maine DOC PREA Coordinator</p> <p data-bbox="240 1075 488 1102">Summary Determination</p> <p data-bbox="240 1133 1485 1659">Indicator (a) The ACJ provides inmates with multiple ways of reporting PREA concerns of sexual assault, retaliation or staff negligence that leads to abuse. The facility encourages inmates to feel comfortable reporting to any staff member, contractor or volunteer, or communicating with outside agencies. The facility provides this information in brochures, posters, handbooks, and an orientation video emphasizing the importance of reporting. ACSO Policy 3.6.1 Prevention of Sexual Abuse, Sexual harassment, and Sexual Misconduct of Inmate/PREA states, "The ACSO provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents." Random inmate interviews confirmed that they know there are multiple ways to report a concern within the facility. Inmates knew of the postings and information in the inmate handbook that describes options to report a concern, including directly to a staff they trust, to any Supervisor or medical or mental health staff, by writing the Jail Administrator or PREA Coordinator. They also know they can call posted number in the facility though they were not all sure who was on the other end of the line. Some inmates were aware of outside reporting through the Maine Department of Corrections PREA Coordinator. The posters also informed inmates on the option of reporting to the Maine DOC PREA Coordinator. Inmates who reported 'PREA is not an issue' confirmed they could tell staff or 'call the number on the posters.' By adding tablets at ACJ, reports to the investigator can be made even more confidential than using the unit phones. The Auditor also used the unit Phone to dial the tip line.</p> <p data-bbox="240 1807 1490 2134">Indicator (b) PREA policy 3.6.1 covers the requirement of this indicator. "The ACSO 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 the ACSO, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to ACSO officials, allowing the inmate to remain anonymous upon request. The external reporting option to report is by writing a letter to the Maine Department of Corrections PREA Coordinator by addressing to: PREA Coordinator 111 State House Station Augusta, Maine 4333-0111. Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security." The Androscoggin County Sheriff's Office has set up ways in which inmates can report a PREA concern to an outside agency. The Poster also has the address of the PREA Coordinator of the Maine Department of Corrections if they do not feel comfortable reporting to ACJ staff. Inmates were aware of these options and stated they could call attorneys or family members to report a concern. Inmates could also call the Maine DOC</p>

PREA Coordinator's Hotline. The inmates were also confident that if a family member called to report a concern, the staff would take it seriously and investigate it. The Auditor confirmed with the outside agencies that there were no complaints in the past 12 months. The PREA Coordinator for Maine DOC confirms that there were no PREA reports through the hotline in the last year related to Androscoggin County Jail.

The Phone numbers for the local rape crisis agency are posted prominently in each housing unit. SAPARS, the local rape crisis agency, cannot report directly to the Jail because of funding regulations requiring a release but confirmed they would encourage the victim to report it to someone in the facility. The Androscoggin County Jail does not currently house individuals for Immigration and Customs Enforcement (ICE) on immigration violations.

Indicator (c) Interviews confirmed, consistent with agency policy 3.6.1, that all staff take any report of a PREA related incident seriously and report the concern to a superior or to the facility investigator. Random staff knew that they had to report the claim no matter the source of information, including anonymous notes. The staff reported that any claim, even if they thought it did not occur, needed to be reported. The staff also confirmed that they were required to file a written report on the claim after giving notice to a supervisor. Finally, the staff also confirmed they had to report on a fellow employee's actions or failure to act, leading to a sexual assault.

Indicator (d) The Androscoggin County Sheriff's Office provides inmates at the county jail several avenues for staff to report a concern of sexual assault or sexual harassment. ACJ staff interview reported if they had a concern about the supervisor or another staff being involved with a client they could report to another supervisor or to a higher-ranking individual. The staff reported they can make a report using either the posted phone numbers to the ACSO Detectives. Staff interviews confirmed they were aware of multiple avenues to report a concern. The staff believed they could make a report out of the chain of command without consequences.

Compliance Determination

The Androscoggin County Jail staff and inmate Interviews support there are mechanisms to ensure an investigation occurs in all allegations of sexual abuse or sexual harassment. Most inmates expressed they would tell a staff and knew they could report on behalf of another inmate or how to file a concern anonymously. Some Inmates stated they could have families or their attorney report concerns, while others named the Jail Investigator or the PREA Coordinator as someone they would approach with a concern. Interviews with random staff support they know they have to report immediately all concerns related to sexual abuse or sexual harassment no matter the source of the information or the format it is received. Staff reported no concerns in making reports up the chain of command and felt if appropriate they could go through other channels if necessary without consequences. Compliance is based on the strong understanding of the staff and inmates on how to report PREA Concerns and the importance of acting promptly. Compliance also is based on the multiple options that are posted in the facility on how to report. The Auditor also took into consideration Finally, the Auditor took into consideration the outside agencies, including the Maine DOC to whom reports can also be made.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>ACJ grievance records</p> <p>inmate handbook</p> <p>Individuals interviewed/ observations made.</p> <p>PREA Compliance Manager</p> <p>Grievance Officer</p> <p>Maine DOC Jail Inspector</p> <p>Maine DOC PREA Coordinator</p> <p>Inmates</p> <p>Observation on tour</p> <p>Summary Determination</p> <p>Indicator (a) The Androscoggin County jail is not exempt from the standard; inmates can file a grievance on conditions that violate their rights or prison rules. Sexual misconduct is a reason for which an inmate can file a grievance. The Agency has a policy language on grievances related to sexual harassment and sexual abuse claims. Policy 3.6.1 section 21 provides 15 statements consistent with the expectations of this standard. From the documentation provided, there appear to have been six allegations of sexual abuse or sexual harassment filed in the past year, which were investigated. The Auditor spoke to the PREA Compliance Manager to confirm the numbers as one individual filed multiple documents on the same incident.</p> <p>Indicator (b) Agency policy and client handbooks support the inmate can file a grievance to a person who is not the subject of the grievance. The Grievance Officer confirmed the inmates can write the Jail Administrator directly or forward the Grievance to the Maine Department of Corrections Jail Inspector who works in the same unit as the state PREA Coordinator. There is no requirement to resolve the situation through an informal process. Agency Policy 3.6.1 (page 14) set forth these conditions, "The ACSO shall not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse." "The ACSO shall not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse." The Auditor recommends that language in the handbook provide more precise language to this indicator. Discussions with the Grievance Officer confirmed that the inmate could send a grievance to the Jail Administrator or Assistant Jail Administrator. He also confirmed there is no time limits to submitting a grievance related to sexual abuse.</p> <p>Indicator (c) The facility has an assigned Grievance Officer who collects and track all grievances. Once received, the claim is investigated, usually in the first 48 hours. ACSO policy states," The ACSO shall ensure that: a. 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 b. Such grievance is not referred to a staff member who is the subject of the complaint." Inmates at ACJ can send sealed mail. If the claim is PREA related the PREA Coordinator and ACSO investigators would be notified.</p> <p>Inmates confirmed they could use the grievance process without submitting to the individual who is the subject of the grievance or required to undergo an informal resolution process. Inmates spoken with confirmed they can send letters directly to the Jail Administrator but they would more likely tell a staff person or call the number on the wall than use the grievance process.</p>

Indicator (d) Policy 3.6.1 sets forth the requirements for response and appeal consistent with the standard. "The ACSO shall issue a final decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance. 7. Computation of the 90-day time period shall not include time consumed by inmates in preparing any administrative appeal. 8. The ACSO may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The ACSO shall notify the inmate in writing of any such extension and provide a date by which a decision will be made. 9. At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for a reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level." Discussion with the Grievance Officer confirms that grievances in the pretrial ACJ environment are generally resolved on a faster pace than the indicator requirement. The Androscoggin County jail turns over a significant portion of the population in the first weeks of incarceration; as a result, the agency tries to expedite grievances before individuals are released.

Indicator (e) Policy 3.6.1 states, "Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates. If a third-party file such a request on behalf of an inmate, the ACSO 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."

Inmates spoken to by the Auditor confirmed that there is no prohibition on assisting or filing a grievance for another inmate. Staff was also aware they needed to accept all complaints or grievances from third-party individuals. One of the files reviewed included a grievance filed by one inmate on the treatment of a second inmate.

Indicator (f) Policy 3.6.1 describes the provisions for an emergency grievance. Any emergency grievance or grievance where there is an imminent risk for sexual misconduct requires immediate notification to the facility's highest-ranking supervisor on duty. There were no incidents in which an emergency grievance was filed in the last 12 months. "The ACSO has established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse. After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the ACSO shall 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, shall provide an initial response within 48 hours, and shall issue a final decision within 5 calendar days." "The initial response and final decision shall document the ACSO's determination whether the inmate is at substantial risk of imminent sexual abuse and the action taken to respond to the emergency grievance." The Grievance Officer confirmed they will treat any sexual abuse allegation as an emergency grievance. The Investigative file of one allegation of sexual abuse brought through the grievance process confirmed the investigative process began immediately.

Indicator (g) Inmates can only be disciplined if, through an investigative process, it is substantiated that the grievance was filed in bad faith. This is the same standard for all PREA complaints filed, even if they are not through the grievance process.

Compliance Determination

Androscoggin County Sheriff's Office is not exempt from the exhaustion of administrative remedies. The agency's policy addresses the concerns of the standard. Grievance Logs reviewed support that inmates use this process to resolve concerns in the institution though there were limited PREA allegation filed of which all but one was for sexual harassment or perceived retaliation. The Agency keeps an electronic file in all grievances and is able to track responses. The Auditor confirmed with inmates that they could file a PREA related concern through the grievance process but acknowledged it would not be as quick in resolving as telling a staff person directly. Inmates reported they can assist other inmates in completing forms if needed. Inmates reported comfort in telling staff directly about concerns, and if they felt it was not addressed, they would go send a request to the Captain or the Jail Administrator to discuss concerns. Compliance determination relied on the policy and interviews with the PREA Coordinator, the Grievance Officer, random and targeted inmates who were aware of the grievance process as a possible avenue to report a Sexual Misconduct concern. The Auditor was able to review the grievance logs on incidents related to PREA for timeliness of response. The Auditor also reviewed the sexual assault investigation that was brought to the agency's attention by an inmate's grievance. Though the inmates spoke to understand

the grievance process as a mechanism for filing a PREA report, the Auditor made recommendations to improve communication on certain indicators.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>ACJ Inmate Handbook</p> <p>Inmate Phone system</p> <p>Inmate tablets</p> <p>Inmate PREA Education Video</p> <p>Individuals interviewed/ observations made.</p> <p>PREA Coordinator</p> <p>Jail Administrator</p> <p>SAPARS Representative</p> <p>Observation on tour</p> <p>Summary Determination</p> <p>Indicator (a) The Androscoggin County Sheriff's Office policy 3.6.1 addressed this indicator when it states, " The ACSO shall 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, and, for persons detained solely for civil immigration purposes, immigrant services agencies. The ACSO shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.". The ACJ provides local rape crisis agency access, but on-site access was curtailed during much of the COVID-19 crisis. The Sexual Assault Prevention and Response Services (SAPARS) is the local rape crisis provider in Androscoggin County. The Agency's employees are considered professional visitor status, which allows for confidential communication. The Androscoggin County Jail does not hold individuals for civil immigration violations currently.</p> <p>Indicator (b) All inmates are informed at the inception of services with medical and mental health staff that confidentiality is limited when an individual has been victimized in the institution. There are notices on the phone system informing them which calls are recorded. There is information on the posting of how to call the rape crisis agency where it will not be recorded. Most Inmates were aware the phone calls were not recorded if they called the rape crisis agency. The Auditor confirmed with inmates and advocacy organizations that professional visit opportunities outside of the COVID restrictions would allow for a more open dialog. The facility has tables for the inmate in the medium units, which improves confidential communication by allowing the inmate to go to their cell or an area away from peers to make a call.</p> <p>Indicator (c) The Androscoggin County Sheriff's Office has a Memorandum of Understanding with SAPARS. The agreement is renewable. SAPARS is part of statewide rape crisis agency Maine Coalition Against Sexual Assault (MECASA). The MOU with SAPARS was signed by the organization's president and the Jail Administrator on a yearly basis. The Auditor was provided information about the renewal process and provided examples of the past three years of MOUs. The Auditor confirmed the MOU has been renewed with a Sexual Assault Prevention and Response Services representative, and the PREA Compliance Manager provided a copy of the document.</p>

Compliance Determination

Inmate victims at ACJ can access victim advocates for emotional support. The agency has entered into a Memorandum of Understanding with the Sexual Assault Prevention and Response Services (SAPARS) to provide support to victims (Indicator (c)). As part of the audit process, the Auditor spoke by phone to a SAPARS representative, who confirmed their ability to provide service at the Androscoggin County Jail. The PREA Brochure and signage at the facility included a toll-free number for inmates to access from the phone. The handbook tells inmates they can call or write SAPARS who could come to the facility to provide professional visits when the COVID crisis is resolved. Tablets also can aid in confidential communication to SAPARS

In determining compliance, the Auditor also considered policy language, interviews with the SAPARS, that inmates could identify how confidential the communication is within the facility, including mail and telephone contacts and the information posted throughout the facility. The inmate PREA education video spends time explaining the role of the rape crisis agency, the types of services provided, and how to access the services.

115.54	Third-party reporting
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="242 329 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="242 387 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="242 445 408 474">Agency Website</p> <p data-bbox="242 504 477 533">PREA Education Video</p> <p data-bbox="242 613 679 642">Individuals interviewed/ observations made.</p> <p data-bbox="242 672 325 701">Inmates</p> <p data-bbox="242 730 528 759">Phone test completed onsite</p> <p data-bbox="242 842 488 871">Summary Determination</p> <p data-bbox="242 902 1477 1097">Indicator (a). Androscoggin County Sheriff's Office has developed a mechanism for individuals who want to report PREA concerns as a third party: including fellow Inmates, family, or friends. Information can be done in person, by phone, US mail, or by contacting the ACJ PREA Coordinator through the agency website http://www.Androscogginscountymaine.gov . The PREA page tells that reports can be made via the Anonymous tip line information that one of the agency's PREA investigators will be screened. The website also informs the individuals about the option of reporting a concern to the Maine DOC PREA Coordinator.</p> <p data-bbox="242 1128 1490 1288">Information directs inmates on third part reporting in the PREA brochure, PREA poster, inmate handbook, and the website noted above. The PREA Education video also explains the options of third-party reporting. The staff interviewed were aware that they must take all reported concerns about PREA potential violations, including third parties. The facility phones allow for inmates to dial out the advocates. Postings supporting reporting by all were visible both inside the facility and in the facility's public areas.</p> <p data-bbox="242 1319 1481 1547">The ACJ Policy addresses the requirements of this standard. "The ACSO has established a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute public information on how to report sexual abuse and sexual harassment on behalf of an inmate. Inmates may also report sexual misconduct to a public or private entity or office apart from the ACSO by mail. Staff shall have the option of reporting known or suspected acts of sexual misconduct through the chain of command or privately to the Jail Administrator. The PREA Coordinator shall ensure inmates have access to confidential outside victims' advocates by posting mailing addresses and telephone numbers in areas that inmates may access. Communication between inmates and any advocacy organizations shall be in as confidential a manner as possible."</p> <p data-bbox="242 1579 512 1608">Compliance Determination</p> <p data-bbox="242 1637 1490 1765">The Auditor finds the Androscoggin County Jail compliant with having a third-party reporting system. Compliance determined based on policy, the systems ACSO has put in place to support the inmates, and that inmates were aware they could make a complaint on behalf of another inmate. The Auditor also considered staff who understood they must report all PREA allegations no matter the source and the information provided on the agency website.</p>

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>PREA investigations</p> <p>Maine.gov Adult Protective Services</p> <p>Correctional Health Partners PREA training materials</p> <p>Correctional Health Partners Health documentation on limits of confidentiality</p> <p>Individuals interviewed/ observations made.</p> <p>PREA Coordinator</p> <p>Random staff</p> <p>Chief Deputy of ACSO on Investigations</p> <p>Medical and Mental Health staff</p> <p>Summary Determination</p> <p>Indicator (a) In several parts of the Agency's PREA policy -3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates, staff are directed to report all knowledge or suspicion related to sexual misconduct against an inmate. Policy states, ". The ACSO shall require all staff to report immediately to the Shift 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 the ACSO; 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 shall immediately be followed up with an incident report. This reporting requirement applies to all facility staff; including health services and to mental health practitioners unless the reporting is precluded by law. Apart from this report, staff shall not reveal any information related to a sexual abuse report to anyone other than when necessary to make treatment, investigation and other security and management decisions." Staff understood, as evident in random staff questioning, the expectation around reporting all incidents related to sexual harassment or sexual abuse. Random staff reported these notifications would be completed immediately and include when an inmate discloses information about abuse in a prior institution or even if they do not believe the event to have occurred. The staff were also clear that staff misconduct through actions or inactions leading to abuse must be reported. Staff reported that all knowledge of retaliation against a staff or inmate who reported or cooperated in an investigation must be reported.</p> <p>Indicator (b) As noted in indicator (a), the policy language of ACSO requires staff to keep confidential all allegations of sexual misconduct except to the individuals required for investigating such events. Staff interviewed were aware of the importance of keeping information disclosed by an inmate to those with a need to know, such as the Supervisor on duty and appropriate medical or mental health staff who may respond. The Auditor asked random staff about the limitations on sharing of information.</p> <p>Indicator (c) As noted in previous standards, the Correctional Health Partners Medical and Mental Health Staff ensure client confidentiality unless there is a risk that another could impact the safety of individuals. Staff report inmates sign that they understand the limits of confidentiality with medical and mental health upon initiation of services. Inmates confirm that they understand information shared with Correctional Health Partners is confidential unless someone is in danger. The Auditor reviewed consent forms that inmates sign upon admission. The Auditor recommends adding language more specific with this indicator/</p>

Indicator (d) The juvenile aspects of indicator d) does not apply, as they are not housed at ACJ. Crimes against senior inmates or others with developmental disabilities are reportable to Maine's Department of Adult Protective Services. Crimes against these protected populations may result in additional charges. It was reported that the Attorney General's Office would potentially become involved in the case. The Auditor reviewed a series of state websites on mandate reporting of vulnerable adults and children.

Indicator (e) All staff are clearly aware that the Jail Administrator, Assistant Jail Administrator, and PREA Compliance Manager must be called as part of the response plan. Staff reported the Supervisor running the shift would likely make those calls and that the staff would also inform medical staff of the incident. Documentation reviewed in the investigative files supports that staff refers all information on potential sexual offenses in a timely fashion and that the investigative teams are put into action immediately.

Compliance Determination

There are policies that direct staff of Androscoggin County Jail in the handling of a report of Sexual Assault or Sexual Harassment. These policies include Androscoggin County Sheriff's Office policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment, and Sexual Misconduct of Inmates/PREA.

Random staff interviews confirmed that staff are aware of the immediate need to report all accusations of Sexual Assault or Sexual Harassment, including third-party and anonymous complaints. The staff interviewed knew they also had to report on a coworker whose actions or inactions led to a sexual assault.

All staff, including the medical and mental health contractors, were aware of mandated reporting, their legal responsibility to report, and the importance of confidentiality except to supervisory and medical to aid in getting access to treatment or allowing investigation. The Androscoggin County Sheriff's Office Deputy Chief confirms that crimes against vulnerable adults or individuals with diminished capacities will be reported to the appropriate state agency. Inmates' interviews supported an understanding on the limits of confidentiality that medical or mental health professionals have. Compliance is based on interviews, the policy, and supporting documentation that shows investigations are initiated immediately upon knowledge of the facility of an incident. The Auditor was also able to see how the Maine DOC PREA Coordinator is used as an outside reporting resource for the county jail. The Auditor also took into consideration the various investigative files supporting a quick response by staff in the learning of any sexual misconduct.

115.62	Agency protection duties
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="242 329 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="242 387 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="242 445 836 474">PREA Investigation supporting moving separating accusers</p> <p data-bbox="242 557 679 586">Individuals interviewed/ observations made.</p> <p data-bbox="242 616 312 645">Sheriff</p> <p data-bbox="242 674 416 703">Jail Administrator</p> <p data-bbox="242 732 389 761">Duty Sergeant</p> <p data-bbox="242 790 430 819">PREA Coordinator</p> <p data-bbox="242 902 488 931">Summary Determination</p> <p data-bbox="242 960 1490 1288">Indicator (a) Androscoggin County Sheriff's Office Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA (page 16) require the facility staff to take immediate action if someone is at risk." When the ACSO learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the inmate." Interviews with the County Sheriff, the Jail Administrator, and discussions with other management staff confirm there is an immediate response to any situation where physical or sexual harm is imminent. Random staff knew the importance of quick responses in situations. The facility provided an example of the movement of inmates when allegations of actual or potential abuse were found. The Jail Administrator reports that they will assess both parties and determine the best plan of action. They can easily separate individuals with multiple units, including moving a known aggressor to higher security units if needed. The Sheriff also reported a commitment to ensuring safety and noted that he could work with other counties to place one or the other individuals involved.</p> <p data-bbox="242 1317 512 1346">Compliance Determination</p> <p data-bbox="242 1375 1437 1435">Compliance is based on interviews and the examples provided. In each of the instances provided, the facility responded immediately, providing direct conversation with the shift commander and movement on the potential aggressor.</p>

115.63	Reporting to other confinement facilities
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="242 329 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="242 387 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="242 445 952 474">Documentation of Investigation started from reports from other facilities</p> <p data-bbox="242 504 550 533">Memo from PREA Coordinator</p> <p data-bbox="242 616 679 645">Individuals interviewed/ observations made.</p> <p data-bbox="242 674 430 703">PREA Coordinator</p> <p data-bbox="242 732 418 761">Jail Administrator</p> <p data-bbox="242 844 488 873">Summary Determination</p> <p data-bbox="242 902 1484 1099">Indicator (a) The Androscoggin County Jail Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA page 19 addresses the requirements of reporting to other confinement facilities of incidents of sexual assault that had occurred in those facilities. "Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Jail Administrator shall notify the head of that facility or appropriate office where the alleged abuse occurred. Such notification shall be provided as soon as possible but no later than 72 hours after receiving the allegation. The ACSO shall document that it has provided such notification. "</p> <p data-bbox="242 1182 1468 1314">Indicator (b). As noted in indicator (a), the policy requires that notification is done in writing and within 72 hours. Jail Administrator was aware of responsibilities, including the documentation of notification if he had to notify another facility of the accusation. There was no incident in the past year requiring the notifications of another institution based on information provided to ACJ.</p> <p data-bbox="242 1397 1436 1462">Indicator (c). Consistent with the policy statement above, the Androscoggin County Jail's Administrator reported that all notifications to other institutions will occur within 72 hours of the facility becoming aware of an incident.</p> <p data-bbox="242 1545 1492 1644">Indicator (d). ACJ's PREA policy states, "Upon receiving an allegation that an inmate was sexually abused while confined at the ACSO the Jail Administrator shall ensure that the allegation is investigated." The documentation provided showed but the Androscoggin County jail investigated allegations they received from other institutions.</p> <p data-bbox="242 1727 510 1756">Compliance Determination</p> <p data-bbox="242 1785 1492 1917">Compliance with this standard was based on the agency policy, the Jail Administrator's knowledge of the requirements and the documentation provided. ACSO policy addresses the requirements of reporting to other confinement facilities of incidents of sexual assault that had occurred in those facilities. The Sheriff also confirmed the expectations of immediate investigations/cooperation of any complaint to or from any other facility.</p>

115.64	Staff first responder duties
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Review of Investigative files</p> <p>ACJ PREA response plan</p> <p>Individuals interviewed/ observations made.</p> <p>Random Staff</p> <p>PREA Compliance Manager</p> <p>Supervisory staff</p> <p>Summary Determination</p> <p>Indicator (a) Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA (page 19-20)) addresses the requirements of the First Responder Standard. "Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to:</p> <ol style="list-style-type: none"> a. Separate the alleged victim and abuser; b. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; c. If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and d. If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. <p>If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff." Interviews with random staff, including non-correctional officers, supports they know the steps required to ensure quick access to care while protecting potential evidence. Staff were all able to provide examples of what they had learned about protecting evidence, including closing off the area where the assault happened, requesting the individuals involved to not eat, drink, brush, use the toilet, shower, or change clothing. The agency has developed a PREA Incident checklist that staff uses to ensure the first responder duties are met. Investigative files reviewed supported first responder duties were completed. There was no current victims in the population that required a first responder action. The Auditor reviewed the agency's Coordinated Response Plan, Spoke to staff to ensure an understanding of the expected duties and confirmed these expectations with the supervisory staff</p> <p>Compliance Determination</p> <p>The Androscoggin County jail has put in place training and resources to ensure all staff knows their responsibilities as first responders to incidents of sexual abuse. The agency's PREA policy and supporting checklist outline the steps to be taken to preserve evidence and protect the detainee. Compliance is based on policy, interviews with staff/Supervisors, and documentation from previous investigations that support first responders act consistently with policy directives.</p>

115.65	Coordinated response
	<p data-bbox="242 145 742 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 454 237">Auditor Discussion</p> <p data-bbox="242 271 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="242 327 746 356">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="242 383 1204 412">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="242 557 678 586">Individuals interviewed/ observations made.</p> <p data-bbox="242 613 422 642">Jail Administrator</p> <p data-bbox="242 669 430 698">PREA Coordinator</p> <p data-bbox="242 725 351 754">Lieutenant</p> <p data-bbox="242 781 406 810">noncustody staff</p> <p data-bbox="242 837 438 866">correctional officers</p> <p data-bbox="242 893 558 922">medical and mental health staff</p> <p data-bbox="242 1068 486 1097">Summary Determination</p> <p data-bbox="242 1131 1484 1258">Indicator (a) ACSO's PREA policy sets forth the requirement of the development of coordination of resources in response to incidents of sexual misconduct. Policy 3.6.1 states, "The ACSO shall follow the facility plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership."</p> <p data-bbox="242 1285 1492 1583">The Androscoggin County Jail has developed a six-page coordinated response plan to guide staff through the various steps in an incident of sexual assault. The Jail Administrator and the PREA Coordinator confirmed that staff, including supervisory staff, were aware of the plan. The plan has several sections directing first responders, Shift Supervisor, Zone Officer, Medical and Mental Health staff, and Investigators on steps necessary. The Plan Also provides the key administration of both ACJ and ACSO who would be involved in a criminal allegation. The plan also has key information to be able to contact the local hospital to notify ahead of transport the need for a SAFE and how to call a rape crisis advocate. The Auditor confirmed with the shift commanders about the plan and their expected steps. The plan provides contact information on how to contact SAPARS, the local rape crisis agency. The Auditor recommended the contact information for the two local hospitals with SANE nurses be added to the plan</p> <p data-bbox="242 1615 510 1644">Compliance Determination</p> <p data-bbox="242 1671 1476 1798">A review of the elements of the plan and discussion with facility leadership and staff members in the various identified positions supports compliance. Random staff interviews showed a consistent understanding of their role in the plan, as did discussions with medical, mental health, supervisory staff, and facility leadership. Compliance is based on these interviews, the written plan, the agency's policy, and the evidence in the investigation file supporting coordinated actions</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Union Contracts</p> <p>Investigation files</p> <p>Individuals interviewed/ observations made.</p> <p>Sheriff</p> <p>Cheif Deputy</p> <p>Jail Administrator</p> <p>Summary Determination</p> <p>Indicator (a) Discussions with the County Sheriff confirm that the contracts with unions representing the Jail employees do not prevent him from removing the staff person during an investigation into a criminal act such as PREA sexual assault. ACSO policy 3.6.1 states, "Neither the ACSO nor any other governmental entity responsible for collective bargaining on the ACSO's behalf shall enter into or renew any collective bargaining agreement or other agreement that limits the ACSO'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." Interviews with the Deputy Chief and the Jail Administrator confirmed the ability to place individuals out on administrative leave during an investigation into possible staff wrongdoing including allegations of sexual assault.</p> <p>Compliance Determination</p> <p>The Androscoggin County Sheriff's Office is compliant with the expectations of this standard. The Auditor reviewed documentation in policy, interviews with agency and facility leadership and union contracts, that support the ability of ACSO to keep victims safe from their accused abusers.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 798 297">Policies and written/electronic documentation reviewed.</p> <p data-bbox="240 329 746 356">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="240 385 1211 412">Policy: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="240 557 679 584">Individuals interviewed/ observations made.</p> <p data-bbox="240 613 312 640">Sheriff</p> <p data-bbox="240 672 416 698">Jail Administrator</p> <p data-bbox="240 728 721 754">Assistant Jail Administrator (PREA Coordinator)</p> <p data-bbox="240 786 424 813">Investigative Staff</p> <p data-bbox="240 958 488 985">Summary Determination</p> <p data-bbox="240 1016 1485 1211">Indicator (a) Androscoggin County Sheriff's Office has information on the expectation to monitor individuals after any PREA claims. The information is contained in Policy 3.6.1 on pages 17. It states, "The ACSO shall protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and shall designate the PREA Coordinator or designee is charged with monitoring retaliation." At ACJ, the PREA Coordinator has the responsibility to track for retaliation. Staff members would be monitored by the Jail Administrator or Assistant Jail Administrator. This was confirmed in their interviews.</p> <p data-bbox="240 1301 1493 1592">Indicator (b) The Jail Administrator supported the facility is large enough with sufficient housing units to ensure individuals who have been separated post a PREA Incident can be safely managed to ensure no retaliation. Inmates would routinely be offered counseling services, and case workers would provide routine check-ins to ensure the client is feeling safe. The Jail Administrator and the Sheriff confirmed that they could work with other counties Jail Administrators to ensure the inmate feels safe in extreme situations. The ACSO policy state the facility "shall employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations." As noted 115.66, they have the ability if the alleged perpetrator is a staff to remove that individual from contact with the victim.</p> <p data-bbox="240 1682 1485 2107">Indicator (c) The agency's policy supports all individuals (Inmates and Staff) who report a PREA incident are monitored for changes in behaviors that might be a symptom of their being retaliated against. The policy states consistent with the indicator, "For at least 90 days following a report of sexual abuse, the ACSO 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 to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. Items the ACSO shall monitor include but are not limited to any inmate disciplinary reports, housing or program changes, or negative performance reviews or reassignments by staff. The ACSO shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need." The Auditor recommended the development of a standardized process for documentation in the monitoring process. The PREA Coordinator forwarded to the Auditor a form the facility had adopted. The individual completing the form must document if they reviewed discipline, if housing moves occur or requested, programmatic or job performance changes, and document if face-to-face communication has occurred or if a mental health follow-up was requested from any of the monitoring concerns. The form provided covers the aspects of the standard indicator.</p>

Indicator (d) Discussions with both the PREA Coordinator and the PREA Compliance Manager support that check-in would occur with the individual being monitored. The occurrence of status checks can be documented through the newly adopted form. The Monitor can also consult with mental health if the victim agrees to seek services for support. The PC and PCM support that frequent check-ins would occur. Initial weeks after and incidents there would be weekly contacts and lessen over time if the individual depending on how the individual is doing in the facility.

Indicator (e) As noted in indicator (b) the facility has sufficient means to protect inmates. The facility's Jail Administrator supported the facility's ability to protect individuals and hold aggressors accountable. Policy 3.6.1 requires support to any individual who cooperates in an investigation. The policy states, "If any other individual who cooperates with an investigation expresses a fear of retaliation, the ACSO shall take appropriate measures to protect that individual against retaliation." The PREA Coordinator and PREA Compliance Manager support the monitoring of all staff or residents who cooperate in an investigation is the expectation.

Indicator (f) The Auditor is not required to review this indicator.

Compliance Determination

The Androscoggin County Sheriff's Office has a policy in place to address the elements of this standard. Documentation supports the facility has been compliant with monitoring expectations. The facility did have cases in which the inmates have been monitored. The Jail Administrator would utilize the Assistant Jail Administrator to further monitor staff.

The Jail Administrator and the Androscoggin County Sheriff confirmed that multiple mechanisms would be put in place to protect individuals who report sexual assaults. They reported efforts would include changing housing, preventing contact between the accused and the victim, and monitoring reports about the inmate or staff to see if there is any change in behaviors. The facility has adopted a monitoring form to document monitoring efforts. The standard is compliant based on information provided, interview statements, and the policy.

115.68	Post-allegation protective custody
	<p data-bbox="242 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 273 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="242 331 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="242 389 1209 416">Policy: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="242 448 558 474">Policy 3.3.1 Offender Discipline</p> <p data-bbox="242 560 679 586">Individuals interviewed/ observations made.</p> <p data-bbox="242 618 418 645">Jail Administrator</p> <p data-bbox="242 676 430 703">PREA Coordinator</p> <p data-bbox="242 734 526 761">PREA Compliance Manager</p> <p data-bbox="242 846 488 873">Summary Determination</p> <p data-bbox="242 904 1493 1267">Indicator (a) ACSO policy address the indicator when it states, "any use of segregated housing to protect an inmate who is alleged to have shall be subject to the requirements of standard 115.43 (Protective Custody)." The protective custody portion of policy 3.6.1 addresses the conditions in which an inmate can be placed in segregated housing. The policy requires that there is an administrative assessment within the first 24 hours in cases of involuntary segregation. The policy sets forth required reassessment points and that a victim involuntarily segregated not lose privileges. The Androscoggin County Jail has not had to use involuntary administrative segregation to protect an inmate who has alleged sexual abuse. The facility would prefer to only move the aggressor to segregation if an incident was to occur. The facility has other housing options to provide temporary stability to the inmate if they fear of being in a general population unit, including housing in the intake area if needed. During the site visit the Auditor was able to see how they handled an allegation of sexual harassment. They did not move the victim into protective custody, the alleged perpetrator was moved. Management staff were aware that the conditions of 115.43 whould apply to any victim placed in protective custody.</p> <p data-bbox="242 1352 510 1379">Compliance Determination</p> <p data-bbox="242 1411 1484 1541">Compliance, without any incident of segregation use post allegation, is based on policy and discussions with the facility management on their goal of avoiding the use of segregation to keep individuals safe. The facility has multiple housing options to move individuals who cooperate in an investigation to keep them safe. The Auditor was able to see how the facility responds to allegation including avoiding the use of segregation for perspective victims of abuse in the facility.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 798 297">Policies and written/electronic documentation reviewed.</p> <p data-bbox="240 329 746 356">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="240 387 1203 414">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="240 445 847 472">State of Maine Guidelines for Forensic Sexual Assault cases</p> <p data-bbox="240 504 512 530">ACJ PREA Response plan</p> <p data-bbox="240 562 531 589">Investigation files 2020-2021</p> <p data-bbox="240 674 679 701">Individuals interviewed/ observations made.</p> <p data-bbox="240 732 512 759">Agency PREA Coordinator</p> <p data-bbox="240 790 416 817">Jail Administrator</p> <p data-bbox="240 848 445 875">Chief Deputy ACSO</p> <p data-bbox="240 907 576 934">An inmate who filed an allegation</p> <p data-bbox="240 1019 488 1046">Summary Determination</p> <p data-bbox="240 1077 1489 1435">Indicator (a) Androscoggin County Sheriff's Office has trained detectives who will be responsible for both criminal and administrative investigations. Policy 3.6.1 defines the investigative team's responsibilities, including the need for a prompt, thorough investigation of the facts and a complete report outlining the processes undertaken and the reasoning behind the findings. "When the ACSO conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. Where sexual abuse is alleged, the ACSO shall use CID investigators who have received special training in sexual abuse investigations pursuant to §115.34." The Policy and the Sexual Assault Response Plan define duties, and agency policy requires investigation of all allegations, including those from third parties or anonymous sources. The ACSO investigators are law enforcement agents outside the command structure of the Jail Administrator. This separation further supports the objective nature of the investigatory process. Random staff interviewed supported they must report all claims no matter the source or if they believe the incident to have occurred.</p> <p data-bbox="240 1525 1489 1650">Indicator (b) As noted in 115.34, the ACSO has two individuals who have completed a course on Investigations of Sexual Assaults in a Correctional Institution. In addition to the training documentation provided in 115.34, the Auditor also reviewed the files to ensure that these Detectives and the staff who will complete administrative investigations were the only individuals to complete sexual abuse or sexual harassment investigations at the Androscoggin County Jail.</p> <p data-bbox="240 1740 1489 2036">Indicator (c) Investigative staff interviewed, inmates who were part of an investigation confirmed, and investigative files reviewed supported the requirements of this indicator. The Chief Deputy reports the Detectives received training on how to collect evidence from a crime scene to ensure chain of custody of evidence, including DNA. Line staff at ACJ are also trained to preserve evidence, including locking potential crime scenes and encouraging the victim not to do anything that would degrade the quality of the DNA evidence. As noted in 115.21, a forensic exam of the victim would not occur at ACJ but at a local hospital with SANE-trained nurses. The investigation file also confirms the interview of the victim, alleged perpetrator, and witness are done routinely as part of the investigation. The investigators, both administrative and criminal, interviewed were able to describe the process they undergo in completing an investigation, including how they may consider historical information. The expectations for effective collection of evidence are covered in the state protocol for sexual abuse cases.</p> <p data-bbox="240 2125 1442 2152">Indicator (d) The Chief of ACSO supports that compelled interviews have not occurred in the current cases and that they</p>

would work closely with the local prosecutor on the case. Policy 3.6.1 describes the expected interactions with the prosecutorial authorities. The policy states, "When the quality of evidence appears to support a criminal prosecution, the ACSO shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution." In reviews with the Auditor, the Investigators discussed wherein the process they would inform the prosecutor. The recent criminal cases did not require compelled interviews.

Indicator (e) The investigator interviewed confirmed that there is no requirement of a victim to undergo any polygraph or other truth-telling process to proceed with an investigation. The Investigator confirmed in the discussions with the Auditor what the policy requires (3.6.1). "The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. No ACSO CID staff shall require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation."

Indicator (f) All criminal investigations involving staff will include "Administrative or Internal Affairs investigations: a. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and b. Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings." Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible." A review of the investigative materials supports a determination based on the evidence presented. The Auditor was able to see formal statements, formal interviews, medical records, and video that were collected and preserved as part of the investigative file.

Indicator (g). All criminal investigations completed by the ACSO detectives result in a written report as required in the agency's related policies. The investigative files reviewed by the Auditor included documentation of interviews, physical evidence, and videos or other documents reviewed as part of the investigatory process. All files also have an investigation checklist to allow tracking of information obtained. The Auditor reviewed several cases and found the reports and documented evidence used in coming to the files stated conclusion.

Indicator (h) Agency policy requires all criminal acts to be referred for criminal prosecution. It states, ". Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution." The ACJ will refer all criminal acts to the ACSO for investigation. The Assistant Jail Administrator reports he will also refer all non-criminal staff involved complaints to the ACSO to investigate. He also reports that if the alleged actions were questionably criminal, they would be referred to the ASCO criminal investigators to take the lead.

Indicator (i) The ACSO record retention requires a greater retention period than five years beyond the separation of the parties from the institution. "The ACSO shall retain all written reports referenced in paragraphs (6) and (7) of this section for as long as the alleged abuser is incarcerated or employed by the ACSO, plus five years. This was confirmed through the PREA Coordinator's interview. The Agency PREA Coordinator has access to a database that all investigations are kept.

Indicator (j) Agency policy and the Investigators interviewed confirmed individuals' departure from the institution would not result in the case being closed. The ACSO Investigators are trained law enforcement officers as defined by the Maine Justice Academy with full police authority to go outside the institution to continue to pursue information related to the case. Both individuals have over two decades of experience and will work with local jurisdictions as needed if the victim or perpetrator has left the facility.

Indicator (k) Auditor is not required to audit this provision.

Indicator (l) This indicator does not apply as noted above; the ACSO has full authority to complete criminal investigations in its facilities.

Compliance Determination

As the county's law enforcement agency, the Androscoggin County Sheriff's Office will complete all investigations related to PREA at the Androscoggin County Jail. The trained investigators who review administrative and criminal incidents have been trained in investigating Sexual Assault in a correctional environment. Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA (page 18) cover the various elements of this standard. Policy language includes completing all investigations in a prompt, thorough, and objective manner; it sets the standards for evidence collection, interview process, and coordination with the local prosecutorial authority. Interview with the investigator confirmed the standard of proof, determining the credibility of a witness, and that all conduct appearing to be criminal is referred for prosecution. Interviews also confirmed that ACSO would continue to investigate cases even after the departure of either a victim or a perpetrator and the polygraphs or other truth-telling devices are not a condition of proceeding in an investigation. To determine compliance, the Auditor considered the results of the interview, the policy in place, and the investigatory files that were reviewed in advance and on-site.

115.72	Evidentiary standard for administrative investigations
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="240 331 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="240 389 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="240 560 679 586">Individuals interviewed/ observations made.</p> <p data-bbox="240 618 430 645">PREA Coordinator</p> <p data-bbox="240 676 373 703">Investigators</p> <p data-bbox="240 788 488 815">Summary Determination</p> <p data-bbox="240 846 1485 1106">Indicator (a). The Auditor confirmed with the investigators that agency and ACJ policy, 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA requires no greater standard than the preponderance of evidence be used in determining whether an allegation of sexual assault or harassment can be substantiated. Policy states, "The ACSO shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated." Investigative staff have taken the NIC training "PREA: Investigating Sexual Abuse in a Confinement Setting" course which covers this topic. Some staff also attended a PREA Resource Center-sponsored event hosted by the Maine Department of Corrections. The Auditor reviewed with the investigator how they determining if a case was substantiated unfounded or unsubstantiated in the course of an investigation.</p> <p data-bbox="240 1196 512 1223">Compliance Determination</p> <p data-bbox="240 1254 1485 1348">The Auditor relied on the interviews with investigators, training records and the review of investigation case files in determining the standard is compliant. The agency also has policy language in place to direct the investigator on evidence to substantiate a PREA incident's findings.</p>

115.73	Reporting to inmates
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="240 331 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="240 389 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="240 448 564 474">PREA Investigation notifications</p> <p data-bbox="240 506 480 533">PREA Monitoring forms</p> <p data-bbox="240 618 679 645">Individuals interviewed/ observations made.</p> <p data-bbox="240 676 596 703">Interview with an Investigative Staff</p> <p data-bbox="240 734 571 761">Interview with PREA Coordinator</p> <p data-bbox="240 792 528 819">Interview with PREA Monitor</p> <p data-bbox="240 904 488 931">Summary Determination</p> <p data-bbox="240 963 1493 1187">Indicator (a) the Androscoggin County Sheriff's Office provides notification to all inmates on the outcome of their investigations into sexual misconduct. The agency 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates page 18 requires the notification to inmates if the allegation was substantiated, unsubstantiated or determined to be unfounded. Interview with the Investigator supports that she comes to one of these three conclusions in all sexual abuse or sexual harassment cases. The policy states, "Following an investigation into an inmate's allegation that he or she suffered sexual abuse at the ACSO facility, the PREA Coordinator shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.."</p> <p data-bbox="240 1276 1493 1339">Indicator (b) This indicator does not apply as ACSO completes criminal and administrative investigations at the Androscoggin County jail.</p> <p data-bbox="240 1429 1493 1621">Indicator (c) The policy A3.6.1 also requires notification if the accused perpetrator is a staff person, contractor or volunteer if the individual has been removed from areas where they would come in contact or if they have been removed from access to the facility. The policy also requires notifications be made to any inmate regarding any indictment or conviction of a perpetrator as long as the victim is still in custody. The Policy states, "Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the ACSO shall subsequently inform the inmate (unless the ACSO has determined that the allegation is unfounded) whenever:</p> <ul data-bbox="240 1653 1414 1845" style="list-style-type: none"> a. The staff member is no longer posted within the inmate's unit; b. The staff member is no longer employed at the ACSO; c. The ACSO learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or d. The ACSO learns that the staff member has been convicted on a charge related to sexual abuse within the facility." <p data-bbox="240 1881 1493 1975">One Inmate who had made an allegation, spoke with the auditor on the timing of a staff members return to his unit. The auditor reviewed with the PREA Coordinator the dates in which the staff was removed from the unit and the date he returned to work in that unit post investigation. The mentation on the forms provided support inmates are informed at various stages</p> <p data-bbox="240 2065 1493 2128">Indicator (d) The Policy language covers the requirements of the standard. "Following an inmate's allegation that he or she has been sexually abused by another inmate, the ACSO shall subsequently inform the alleged victim whenever:</p>

- a. The ACSO learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility, or
- b. The ACSO learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.”

The Auditor was provided documentation supporting notification to victims on inmate-on-inmate allegations of sexual abuse or sexual harassment.

Indicator (e) The Auditor was has made recommendations on improving the documentation of the outcome. The agency provided memos that were created upon the closure of the investigation. The auditor recommends that a form be implemented, which the inmate could sign to verify he has been informed.

Indicator (f) The Auditor is not required to audit this provision.

Compliance Determination

The Auditor was able to review documents in investigative files that support inmate notifications occur. Clients who had made PREA allegations confirmed they were notified of the outcome. The Auditor finds the facility in compliance with the standard, based on policy, the documentation provided, interviews with the investigator, the PREA Coordinator and the inmate who had previously filed PREA allegations.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Union contract</p> <p>Individuals interviewed/ observations made.</p> <p>Jail Administrator</p> <p>Sheriff</p> <p>Summary Determination</p> <p>Indicator (a) ACJ policy, 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA (page 19) states that staff who violate agency sexual abuse or sexual harassment policies are subject to disciplinary action. Disciplinary actions, including termination, will be presumed consequences for a substantiated finding of sexual abuse. "The ACSO employees found guilty of committing sexual abuse or sexual harassment toward inmates are sanctioned in accordance Standard Operating Procedure 1.3.13 Employee Discipline. Staff shall be subject to disciplinary sanctions up to and including termination for violating ACSO sexual abuse or sexual harassment policies. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse." The Auditor confirmed with the Jail Administrator state staff can be terminated for serious violations on the first offense. The Union contract also supports the ability of ACSO to terminate individuals who have broken state laws.</p> <p>Indicator (b). As stated in indicator a, the ACSO policy confirms that termination is the presumptive disciplinary sanction for staff who engage in sexual abuse or sexual misconduct with inmates. In their interviews, both the Jail Administrator and the County Sheriff were very clear that such behavior would not be tolerated. There were no cases of staff terminations in the past three years for sexual misconduct.</p> <p>Indicator (c). "Disciplinary sanctions for violations of ACSO policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories." There were no discipline of staff for actions that were not criminal.</p> <p>Indicator (d). "All terminations for violations of ACSO 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 Maine Justice Academy would be informed of the custody staff persons who engage in sexual misconduct. In Maine, the Justice Academy can pull certification of terminated staff, preventing them from qualifying for employment in other agencies. The Agency would also inform state licensing agencies for CHP medical or Mental Health staff who engaged in sexual misconduct with an inmate.</p> <p>Compliance Determination</p> <p>Compliance for this standard was based on the agency's past practice, the interviews with the Jail Administrator and Sheriff, and union contracts. The facility had reviewed the most recent case for the prosecution.</p>

115.77	Corrective action for contractors and volunteers
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="242 329 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="242 387 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="242 501 679 530">Individuals interviewed/ observations made.</p> <p data-bbox="242 560 528 589">PREA Compliance Manager</p> <p data-bbox="242 618 430 647">PREA Coordinator</p> <p data-bbox="242 676 552 705">Health Services Administration</p> <p data-bbox="242 734 513 763">Medical mental health staff</p> <p data-bbox="242 848 488 878">Summary Determination</p> <p data-bbox="242 907 1477 1131">Indicator (a) Policy 3.6.1 set forth for expectations for contractors, volunteers, or interns, who engage in sexual misconduct with inmates. The policy states, " Any contractor, intern or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. The ACSO shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any other violation of ACSO sexual abuse or sexual harassment policies by a contractor, intern or volunteer." The documentation provided in the OAS support that there have been no incidents of sexual misconduct by contractors, volunteers, or interns.</p> <p data-bbox="242 1218 1485 1314">Indicator (b). As noted in the previous indicator, ACSO policy supports that the facility will take remedial action in determining whether to prohibit further contact with inmates by individuals in the standing groups. The PREA Coordinator confirmed the ability to place contractors, volunteers, or interns who engage in sexual misconduct.</p> <p data-bbox="242 1402 512 1431">Compliance Determination</p> <p data-bbox="242 1460 1477 1619">Absent an incident of sexual misconduct by a contractor or volunteer, the Auditor had to base be compliance determination on policy and interviews with facility management. COVID-19 has limited the use of volunteers the . The PREA Confirmed they would immediately halted access to any individual alleged to have engaged in sexual misconduct with an inmate. As also previously stated, contractors such as medical or mental health professionals who violate such rules would be reported to licensing bodies.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy: 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Androscoggin County Inmate Handbook</p> <p>discipline hearing (2020)</p> <p>Individuals interviewed/ observations made.</p> <p>Investigative Officer</p> <p>Jail Administrator</p> <p>PREA Coordinator</p> <p>Inmates</p> <p>Summary Determination</p> <p>Indicator (a) Inmates who have been found to have engaged in a criminal offense, including sexual assault, are not only subject to criminal prosecution they are also referred for facility disciplinary hearing. ACSO policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates set forth the obligation to discipline inmates who engage in incidents of sexual abuse. ". Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse" The inmate handbook defines the different levels for the reader of discipline in the institution for different types of sexual misconduct.</p> <p>Indicator (b) Inmates can be sanctioned for engaging in sexual misconduct even if it is consensual. The discipline code defined in the Inmate handbook which shows multiple levels of discipline that the hearing committee could impose. The Policy also goes on to state," Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed." Detainee Handbook describes three levels of behaviors that can be disciplined. Inmates with frequent discipline can receive additional sanctions. Interviews with the PREA Coordinator and Jail Administrator confirmed this practice expectation.</p> <p>Indicator (c). Policy 3.6.1 states, "The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed." An interview with the Jail Administrator confirmed that the discipline of Inmates routinely includes an assessment of their mental health.</p> <p>Indicator (d) ACJ inmates have access to CHP Mental Health Services at the facility. Policy 3.6.1 describes the role of MH in providing diagnostic services in emergent and non-emergent situations. As a pretrial facility, the Androscoggin County jail does not impose mandatory treatment for those who engage in sexual misconduct in the facility. The disciplinary committee has various options to impose upon a person who engages in sexual misconduct, but mandatory counseling is not one of the listed items.</p> <p>Indicator (e) The investigative staff and facility PREA Coordinator confirmed inmates who engage in sexual misconduct with staff would not be disciplined unless it is proven the staff did not consent. Policy 3.6.1 states, "The ACSO may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact." There were no cases in the past three years of staff, and inmate substantiated sexual encounters that resulted in discipline.</p> <p>Indicator (f) Page 19 of Policy 3.6.1 states an inmate cannot be disciplined for a PREA allegation unless it is proven the allegation was filed in bad faith. The Investigator confirmed she must conclude this before the inmate would be subject to</p>

discipline. The Auditors review of the handbook revealed that inmates could be disciplined for sexual misconduct and for lying during an investigation. Major misconduct events can result in disciplinary restrictions, loss of privileges, and loss of good time. There were no cases in which an inmate was disciplined for making a PREA allegation in bad faith. Policy states, "For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation."

Indicator (g) Inmates who engage in consensual sexual misconduct can be subjected to discipline as defined in the handbook. The ACSO Policy 3.6.1 also addresses this indicator when it states, "The ACSO shall prohibit all sexual activity between inmates and may discipline inmates for such activity. The ACSO may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced."

Compliance Determination

Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA (pages 19) covers all the language requirements of standard Inmates are provided information on the offenses and the consequences for each act in their handbook. English and Spanish versions of this document are available on the unit Kiosks. Sexual contact with staff, if they did not consent, is subject to discipline (indicator (e). If the inmate has impairment is so significant, the committee can refer the case to mental health. The facility provided the Auditor with examples of discipline resulting from sexual harassment behavior of inmate-on-inmate incidents. The agency provided an example of an inmate disciplined for sexual exposure to staff. Though the incident is not a PREA the documents showed the processes in place to provide a disciplinary hearing. Compliance is based upon the policy, documentation from the inmate handbook, interviews with the investigator and PREA Coordinator, and the documentation of an inmate's discipline.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Policy 30-06 Response to sexual abuse</p> <p>Nurse screening Questions and referrals</p> <p>Mental Health notes confirming follow up.</p> <p>Individuals interviewed/ observations made.</p> <p>Medical Staff</p> <p>Mental Health Staff</p> <p>Inmates</p> <p>Observation of the medical unit</p> <p>File reviews</p> <p>Summary Determination</p> <p>Indicator (a) The facility is not a prison</p> <p>Indicator (b) The facility is not a prison.</p> <p>Indicator (c) Inmates who engage in sexual assault or have a history of sexual offenses are automatically referred to Mental Health for an assessment. Policy 3.6.1 states, "If the screening pursuant to § 115.41 indicates that an inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening." As a short-term pretrial facility, there are no required treatment groups. Examples were provided to show alleged abuse victims being seen as well as those with prior histories of sexual aggression.</p> <p>Indicator (d) The Auditor confirmed through interviews with intake staff, Classification, medical staff, mental health staff, Custody Supervisors, and the PREA Coordinator that sensitive information is protected. Custody staff does not have access to information in the medical or mental health records of Correctional Health Partners. Information obtained and documented in the intake/screening process is also limited in access to those individuals who need to know. The Health Service Administrator provided information on Correctional Health Partners's efforts to ensure confidentiality of information that could be used against an inmate. Inmates interviewed supported that information given to counseling staff is kept confidential. This is consistent with policy which states, "Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law."</p> <p>Indicator (e) All inmates sign with Correctional Health Partners staff an understanding of the limits of confidentiality related to criminal behaviors. Nurses report this is completed at intake. Medical and Mental Health staff support they routinely reiterate the limits with clients during each service session. Inmates interviewed confirmed that they had signed acknowledgement forms and verbally understood why a medical or mental health staff must disclose actual sexual abuse or imminent risk situations. The staff spoken with knew the policy expectation. "Medical and mental health practitioners shall obtain informed</p>

consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting." Policy 30-06 which is a CHP policy also provides similar language in directing the duties of medical and mental health staff.

Compliance Determination

The Androscoggin County Sheriff's Office has contracted Correctional Health Partners Correctional Healthcare to provide the Medical and Mental Health Services at the County Jail. All individuals complete a screening with both custody and medical staff upon admission. The nursing and mental health staff confirmed that individuals identified are referred to Mental Health consistently with the standards and the Policies of the ACJ and Correctional Health Partners Correctional Healthcare. The documentation provided and reviewed show that Inmates are referred to Correctional Health Partners Mental Health, who will also make referrals to SAPARS the local rape crisis organization, for ongoing support. ACJ provides confidential electronic medical records separate from the county Electronic Record Management System. Critical information that could be used against a victim is secured in the Correctional Health Partners electronic medical records system. Interviews with Mental Health and Medical staff confirm that all inmates are notified about the limits of confidentiality at service initiation. To determine compliance, the Auditor took into consideration the Jail and Correctional Health Partners policies, interviews with Medical and Mental Health staff, and random inmates' understanding of confidentiality. The Auditor also was able to review files that showed a practice consistent with stated policy.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Policy 30-06 Response to Sexual Assaults (CHP)</p> <p>Memo from HSA on no incidents of emergency contraception</p> <p>ACJ Coordinated Plan</p> <p>Maine state law 719</p> <p>Maine AG's Guidelines for the Care of Sexual Assault Patients.</p> <p>Individuals interviewed/ observations made.</p> <p>Correctional Health Partners Medical Staff</p> <p>Correctional Health Partners Mental Health Staff</p> <p>Inmates</p> <p>PREA Coordinator</p> <p>Local hospital representatives</p> <p>Observation of the medical unit</p> <p>Summary Determination</p> <p>Indicator (a) The Androscoggin County Jail has a full-service medical clinic that operates during the waking hours with Registered Nurses and after-hours availability of on-call medical and mental health practitioners. The services are diverse and consistent with community health clinics. Inmates report access to these services if they are in crisis. Medical staff report having medical autonomy if the inmate must go out of the building for emergency services to facilitate that trip. The Correctional Health Partners medical staff state the facility administration is supportive of the work they do, and they work to resolve issues when they arise. In the event of a sexual assault, inmates at ACJ would go to one of two area hospitals with SANE trained nurses and support from local rape crisis agencies. Policy 30-06 (page 4) requires medical staff to provide "immediate access to emergency medical services and provide appropriate information on supported services." The policy goes on to state the individual will be referred off site for a forensic exam.</p> <p>Indicator (b) Medical services are available 24 hours per day at the Androscoggin County Jail. Random staff knew as part of their first responder duties that immediate notification to medical was required. This is also stated in the facility's Sexual Assault Response plan. Policy 3.6.1 direct custody staff, when it states, "If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical and mental health practitioners."</p> <p>Indicator (c) Discussions with both Hospital staff and facility medical staff confirm that sexual assault victims would be offered prophylaxis medications and emergency contraception. The Auditor confirmed the same medications would be offered to the inmate again upon return from a forensic exam even if they initially denied it. Correctional Health Partners medical staff confirmed they would educate the inmate on the importance of such medications for continued health. Maine's Attorney General's Guidelines for the Care of Sexual Assault Patients recommend the use of prophylaxis medications for STD and pregnancy contraception options.</p> <p>Indicator (d) The Auditor confirmed that Correctional Health Partners medical services related to sexual assault victims are provided without cost. Both Correctional Health Partners and ACSO policies address the fact that service will be provided without cost. The Auditor also confirmed that victims of sexual assault are provided initial and follow-up services at local hospitals through funding from the state. This is done to encourage all victims to come forward for help. The clinic at ACJ would function in the same way by providing follow-up care. Maine state law 719 enacts the state's obligation through the</p>

Attorney General's Office to ensure payment for forensic exams and related treatment for victims of sexual assaults.

Compliance Determination

Androscoggin County Jail can quickly respond to and provide emergency care and referral to a local hospital for forensic services located just blocks away. The Androscoggin County Jail PREA response plan outlines the steps taken to ensure access to care. The ACJ has on-site medical nursing staff 24 hours per day. The facility also has on-call providers that can help to facilitate the referral to an outside medical provider. Correctional Health Partners and ACJ staff will follow the requirements as outlined in Policies 3.6.1 and 30-06. The two local hospitals confirmed SAFE or SANE capabilities. As part of the audit process, the Auditor spoke to a community representative to confirm the access to SANEs and the services provided to victims of sexual assault. There is no financial cost to any inmate in DOC. The State of Maine Website has the document: SEXUAL ASSAULT FORENSIC EXAMINER PROGRAM GUIDELINES for the CARE OF THE SEXUAL ASSAULT PATIENT. Compliance determination took into consideration the access to services, Correctional Health Partners and ACSO policies, information from the State of Maine on forensic exam requirements, and interviews completed.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>CHP Policy 30-06 Response to Sexual Assaults</p> <p>Memo from RN Supervisor on services available to victims</p> <p>Individuals interviewed/ observations made.</p> <p>Medical Staff</p> <p>Inmates</p> <p>SAPARS Representative</p> <p>PREA Coordinator</p> <p>Observation of the medical unit</p> <p>Summary Determination</p> <p>Indicator (a) The Androscoggin County Sheriff's Office ensures that all inmates are provided with the appropriate level of medical and mental health services for any issues of sexual abuse. Correctional Health Partners Health staff will provide the appropriate level of care depending on how long ago the abuse occurred. If the incident has occurred recently, the inmate will be offered a forensic exam at a local hospital. If the incident is a prior life event that occurred in another institution or in the community. The medical and mental health teams will complete a health assessment and mental health referral for services. If the inmate was more comfortable discussing the abuse with a rape crisis agency staff; a mental health referral can be made to SAPARS the local rape crisis agency to provide the appropriate supportive counseling.</p> <p>Indicator (b) Inmates who are victims of sexual assault at ACJ are immediately referred to mental health services as well as medical services. Even if the assault occurred in the community or at another county jail; the inmate, once identified, is referred to Correctional Health Partners for follow-up services. If the inmate prefers, they can be referred to the local rape crisis agency for support services post an incident of sexual misconduct. The Correctional Health Partners Medical and Mental Health staff confirmed, as did the SAPARS representative, that they would make referrals to ensure continuity of care if the inmate were released home or transferred to another facility. Correctional Health Partners health policy 30-06 describes the expected response of medical and mental health staff during a sexual assault incident and upon the inmates return to the facility from a forensic exam.</p> <p>Indicator (c) As noted in indicator (a), the medical clinic at the Androscoggin County Jail facility is equivalent to an urban community medical clinic. The facility offers a full array of medical and mental health services, including dental and vision. The infirmary addresses the needs of illnesses associated with the wide age range at ACJ. The facility provides mental health services, including counseling, medication management, and, when needed, the extra support of the mental health unit or direct observation room in the clinic space. The nursing Supervisor provided a memo outlining the available services to a victim of sexual assault. The Auditor also took into consideration the policy language in 30-06, which further describes steps to be taken by both medical and mental health services.</p> <p>Indicator (d) Interviews with Correctional Health Partners health services staff and local hospital staff both confirm the victims of sexual abuse would be offered pregnancy testing. Policy 3.6.1 (page 24) confirms that all-female victims would be Correctional Health Partners policy. Medical staff at the hospital confirmed pregnancy testing is offered. CHP policy 30-06</p>

also sets forth pregnancy testing requirements, education on emergency contraception, and access to prophylactic medications.

Indicator (e) if a victim of sexual assault becomes pregnant while housed at the Androscoggin County Jail, Correctional Health Partners health staff will afford all pregnancy-related information on services available within the state law. Policy 30-06 also addresses the requirements of this indicator. "If pregnancy results from the conduct described in paragraph (4) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services."

Indicator (f) The Auditor confirmed with both the medical staff at ACJ and the representatives of the two area hospitals used by ACJ that victims of sexual assault are offered testing for sexually transmitted diseases. This testing is provided free of charge, consistent with agency policy. Medical staff confirmed that if the inmate refused this service in the hospital, they would be educated upon return about the service and offered it again if appropriate.

Indicator (g) Treatment services are provided to victims of sexual abuse without cost to the inmate, including if the inmate must go out for a forensic exam. Maine has a victim's compensation fund that will absorb the cost of the exam. This is reportedly done to ensure finances are not a barrier to victims seeking treatment. Policy 3.6.1, confirms the expectation of no-cost services. "Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident." As noted in the previous standard, Maine Attorney General's office oversees funds to hospitals to ensure victims of sexual abuse can come forward without the worry of financial burden.

Indicator (h) NA the facility is a Jail

Compliance Determination

Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA and Correctional Health Partners Health Care policy J-F-06 both speak to each aspect of this standard. The availability of SAPARS (local rape crisis service) allows for ongoing treatment services if they prefer to use them instead of the onsite mental health staff provided by Correctional Health Partners. Through contracting with rape crisis centers, the County Jail has opened the inmate victims to resources post-release. As part of the audit process, the auditor spoke to representatives of both these agencies, who ensured coordination of services to victims in custody and upon release was available. The services provided between the community hospital, the facility, and the contracted services providers ensure that inmates at the ACJ are provided with equitable services to those provided to victims in the community. Correctional Health Partners provides medical services during the waking hours and access to Qualified Medical and Mental Health Professionals services on-call on evenings and weekends. Discussions with representatives of both local hospitals also ensure appropriate testing and forensic services would be made available to victims from the Jail. Compliance is based on the resources available on-site and community-based services, the interviews with medical and mental health staff, and interviews with representatives of SAPARS and the local hospitals with support appropriate care.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Sexual Abuse Incident Review forms</p> <p>Criminal investigation files</p> <p>Individuals interviewed/ observations made.</p> <p>Investigative Officer</p> <p>Inmates</p> <p>Jail Administrator</p> <p>PREA Coordinator</p> <p>Medical and Mental Health staff</p> <p>Summary Determination</p> <p>Indicator (a) Policy 3.6.1 (page 21) sets forth the requirement of an incident review on all cases of sexual misconduct unless the investigation has determined the allegation was unfounded. The policy states, "The Jail Administrator has established a committee, whose purpose shall be to conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including allegations which have not been substantiated unless the allegation has been determined to be unfounded. Such reviews shall occur within 30 days of the conclusion of the investigation.". The Auditor was provided with examples of the review team's findings on the Sexual Abuse Incident Review Form. The Androscoggin County jail provided examples of the review process.</p> <p>Indicator (b) Policy 3.6.1 (page 21) states the review should occur within 30 days of the investigation conclusion. The policy says, "The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners." The PREA Coordinator is aware of the timing requirements of this indicator, and the investigative files reviewed supported the meeting were held in a timely fashion from the closure of the investigation.</p> <p>Indicator (c) As stated in indicator (b), the multi-discipline nature of the team is addressed in policy. In the review of documentation provided and various staff interviewed, the multi-disciplinary nature of the team was confirmed. The review was chaired by the PREA Coordinator and included medical and mental health representation and the facility's administrative and supervisory staff.</p> <p>Indicator (d) The elements described in this indicator are all covered in policy 3.6.1 page 21. The policy states, "The review team shall:</p> <ol style="list-style-type: none"> a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; b. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; 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; c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; d. Assess the adequacy of staffing levels in that area during different shifts;

- e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
- f. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (3)(a)-(3)(e) of this section, and any recommendations for improvement and submit such report to the facility head and PREA Coordinator.”

The agency form used to document the review panels considerations includes the required information. The form asked if the policy needs to be reviewed, it looks at the underlying motivation of the incident, including if the victim was targeted due to their perceived member of a particular group. It goes on to look at staffing, physical plant issues, and surveillance needs. Comments can be added to the form about the case, and in one form, the indication was the inmate targets younger inmates. The PREA Coordinator was aware of the elements, as was the Jail Administrator.

Indicator (e) The form documents the finding of the various questions and provides the reader with information if the team has determined any recommended actions to take place. Policy states, “The ACSO shall implement the recommendations for improvement, or shall document its reasons for not

doing so.” Two of the forms reviewed supported recommendations were made. ACSO requires the Jail Administrator to sign off after a final review.

Compliance Determination

The ACSO policy 3.6.1 requires what information needs to be part of the incident review with language directly from standard. In the samples reviewed, information supported that the questions in indicator D were all asked and answered. The review team included a multi-disciplinary team of management, custody, and medical and mental health services. Finally, the committee makes recommendations after completing a critical review to improve the overall safety of the facility. Compliance was determined based on policy language, the documentation provided, and staff understanding of the requirements.

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Policies and written/electronic documentation reviewed.

Androscoggin County Jail Pre-Audit Questionnaire

Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates

Individuals interviewed/ observations made.

Jail Administrator

PREA Coordinator

PREA Compliance Manager

Supervisory staff

Summary Determination

Indicator (a) The agency collects data consistent with the policy definitions which were developed to be consistent with the standard. 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates states, "The PREA Coordinator shall collect accurate, uniform data for every allegation of sexual abuse at the facility under its direct control using a standardized instrument and set of definitions." The Auditor was provided a copy of the state's PREA Incident Database, which shows consistent information is provided for both the secure and community confinement settings. ACSO as stated in 115.12 does not contract beds for housing of its inmates.

Indicator (b) The Androscoggin County Sheriff's Office completes an annual report with aggregate data from the Androscoggin County Jail. As this is the first PREA Audit the agency was able to show the data from the 2020. The Auditor also reviewed the agency's annual report, which is published on the ACSO website. The PREA Coordinator described for the Auditor how information on the incident is funneled to him. Interviews with middle management staff confirmed that the PREA Coordinator and PREA Compliance Manager are informed of any allegations. The agency hotline goes to a Sergeant who reports to the PREA Coordinator.

Indicator (c) The Auditor was able to confirm the various elements of the Survey of Sexual Violence are maintained and could be used to complete the report if requested by the Department of Justice. Agency policy sets forth the requirement of collecting data consistent with the SSV. "The incident-based data collected shall 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." There has been no request by the Department of Justice for a Survey of Sexual Violence report from ACJ. Interviews with the PREA Coordinator confirmed the elements required were tracked. The Auditor recommends the completion of the report as further documentation to support future audits.

Indicator (d) The ACSO requires the retention of records at all records related to sexual assault allegations facilities. Copies of criminal files involving inmates-on-inmate contact will be retained locally with a copy to the PREA Coordinator. The PREA Coordinator would receive all incident outcomes and ensure data accuracy.

Indicator (e) The Androscoggin County Sheriff's Office does not subcontract beds to supervise individual in custody.

Indicator (f) The Department of Justice has not requested PREA related information from the Androscoggin County Jail in the past year.

Compliance Determination

The Auditor has found the standard to be compliant. The ACSO has a system in place for collecting uniform data that could be used to complete the Survey of Sexual Violence. The 2020 ACSO Annual PREA report also includes data for the ACJ facility. Compliance is based on discussions with the PREA Coordinator, PREA Compliance Manager, Jail Administrator, and facility supervisory staff, which supports the information is routinely tracked and provided to the PREA Coordinator. Documentation of the data tracking system and the completed SSV surveys further support compliance.

115.88	Data review for corrective action
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="240 331 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="240 389 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="240 448 512 474">Annual PREA Report 2020</p> <p data-bbox="240 506 695 533">Androscoggin County Sheriff's Office website</p> <p data-bbox="240 618 679 645">Individuals interviewed/ observations made.</p> <p data-bbox="240 676 655 703">Interview with Agency PREA Coordinator</p> <p data-bbox="240 734 592 761">Interview with the Jail Administrator</p> <p data-bbox="240 792 491 819">Interview with the Sheriff</p> <p data-bbox="240 904 488 931">Summary Determination</p> <p data-bbox="240 963 1481 1326">Indicator (a)The Androscoggin County Sheriff's Office utilizes both data related to PREA incidents and data related to other critical safety incidents to determine program improvements. The Sheriff reports that he meets with agency leadership weekly, including the Jail Administrator. The Sheriff reports the ACJ PREA Coordinator is also present for the initial part of the meeting to discuss data and overall compliance efforts. The Jail Administrator echoed the Sheriff's expectation on how data is used with his management team to assess needs. Interview with the Jail Administrator and the PREA Coordinator support critical analysis for PREA incidents and all critical events. Examples were provided of how improvements have been identified and implemented to improve inmate safety. The Jail Administrator confirmed his team looks for trends to further guide policy/ procedural practices or the disbursement of resources. Agency policy names the PREA Coordinator as the individual responsible for the collection of information and directs him on its use. "The PREA Coordinator shall 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:</p> <ul data-bbox="240 1357 1193 1554" style="list-style-type: none"> a. Identifying problem areas; b. Taking corrective action on an ongoing basis; and c. Preparing an annual report of its findings and corrective actions for the facility, as well as the ACSO as a whole." <p data-bbox="240 1644 1481 1868">Indicator (b) The ACSO publishes an annual report comparing the number of sexual assault and sexual harassment claims. Since 2020 was the first full year of data collection the report did not contain a comparison from one year to the previous year's data. The report shows if the accused was a staff or an inmate and provides the outcome determination. The Auditor discussed with the PREA Coordinator how the current years information will be used in comparison to the 2020 data in assessing the Jails progress toward a PREA safe environment. Lacking the a 2019 formalized process the Auditor considered the information provided and the facilities understanding of the step moving forward. Interviews with the PREA Coordinator, Jail Administrator and the Sheriff all support the use of data in decision making.</p> <p data-bbox="240 1904 1481 1993">Indicator (c) The ACSO Sheriff confirmed PREA annual report developed by the PREA Coordinator and reviewed by the Jail Administrator is approved by him before being placed on the agency's website. The Auditor reviewed the website for the documentation.</p> <p data-bbox="240 2029 1449 2083">Indicator (d) The ACJ removes all identifiers from summary reports. The Auditor was able to review several documented reports on PREA that show cumulative data without utilizing identifiers.</p> <p data-bbox="240 2119 512 2145">Compliance Determination</p>

ACSO policy set forth expectations consistent with standard language, The data elements are required to be reviewed by the PREA Coordinator to ensure consistent data. Interviews with Sheriff and the Jail Administrator supported they utilize data to make informed decisions on programmatic and policy needs. This is consistent with the standard expectation to do a critical review of data to identify problem areas and enact corrective actions. Since the PREA Coordinator works as the facility compliance Specialist, trends can be reviewed, and recommended changes can be identified for the Jail Administrator. The Auditor finds the facility to be compliant with the standard expectations. This determination was based upon the interviews completed and the documents reviewed.

115.89	Data storage, publication, and destruction
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="242 329 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="242 387 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="242 560 679 589">Individuals interviewed/ observations made.</p> <p data-bbox="242 618 655 647">Interview with Agency PREA Coordinator</p> <p data-bbox="242 728 488 757">Summary Determination</p> <p data-bbox="242 788 1490 981">Indicator (a) The ACSO has policies that protect the security of information. Policies 3.6.1 outline the safety of PREA information and who has access. Discussions with the PREA Coordinator, the individual who completes screenings, the investigators, and medical and mental health staff describe layers of controls in place to ensure no unnecessary disclosure. The agency's electronic case management system and electronic medical records systems are separate and limit the access that can be used to exploit an individual. In response to an incident, all relevant information can be retained by the PREA Coordinator who is the Assistant Jail Administrator</p> <p data-bbox="242 1012 1490 1240">Indicator (b) The ACSO ensures the information related to PREA incidents and the agency's efforts to support a zero-tolerance culture are published in an annual report available on the agency website. The annual report describes the agency and facilities' efforts to create and maintain PREA safe environments. The website also includes information on the number of PREA incidents alleged to have occurred and the investigative outcomes. Policy language mirrors standard requirements. "The ACSO shall 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."</p> <p data-bbox="242 1272 1182 1301">Indicator (c) The annual report located on the ACSOs website does not include any identifiers.</p> <p data-bbox="242 1332 1490 1489">Indicator (d) Policy, as mentioned in 115.87, set forth the obligations of the agency's PREA Coordinator as the individual responsible for collecting all incidents. The PREA Coordinator is aware that all PREA related Data be maintained for a period of no less than ten years. Policy languages also confirm this expectation, "The ACSO shall 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."</p> <p data-bbox="242 1520 512 1550">Compliance Determination</p> <p data-bbox="242 1581 1481 1809">The Androscoggin County Sheriff's Office (ACSO) Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA address the requirements of this standard. All facility data is provided to the agency PREA Coordinator who is responsible for maintaining and securing all data. When the facility has an incident, all identifying information is to be removed before any information is made public. All data for the annual report is required to be kept a minimum for 10 years by policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates/ PREA. Compliance is based on an interview with the PREA Coordinator, Information available on the County Sheriff's Website, and the facility policy defining the requirements.</p>

115.401	Frequency and scope of audits
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 798 300">Policies and written/electronic documentation reviewed.</p> <p data-bbox="242 329 746 358">Androscoggin County Jail Pre-Audit Questionnaire</p> <p data-bbox="242 387 1206 416">Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p data-bbox="242 557 679 586">Individuals interviewed/ observations made.</p> <p data-bbox="242 616 430 645">PREA Coordinator</p> <p data-bbox="242 728 488 757">Summary Determination</p> <p data-bbox="242 786 1453 848">Indicator (a) The Androscoggin County Sheriff's office is completing its first PREA Audit. The agency only has one facility. Discussions with facility and agency leadership confirm they plan to remain in compliance moving forward.</p> <p data-bbox="242 934 681 963">Indicator (b) the ACSO only has one facility.</p> <p data-bbox="242 1048 1481 1211">Indicator (h) The Auditor did have open access to all parts of the facility. Despite COVID-19 social distancing measures, the Auditor was able to move freely about the housing units on tour to be able to speak informally with inmates and staff to ensure they were aware of the audit, the agency's efforts to educate inmates, and how to seek assistance if the need arises. The PREA Coordinator and the Classification Corporal aided in the Auditor's movement and getting inmates and staff in a timely fashion.</p> <p data-bbox="242 1296 1423 1359">Indicator (i) The Androscoggin County Jail provided information in the Online Audit System and paper documents. The Auditor kept some hard copy documents while requesting other items be uploaded into the OAS.</p> <p data-bbox="242 1444 1497 1608">Indicator (m) The Auditor was able to interview inmates throughout the facility in private spaces. The space provided was appropriate to allow the Auditor and the inmate to speak freely without others being able to hear our conversations. The Auditor was able to socially distance and use a mask during the audit, but it did not appear to impact the interview process. Most inmate interviews took place in an office near the housing units . Most staff interviews took place in the conference room near the booking/intake area.</p> <p data-bbox="242 1693 1477 1792">Indicator (n) The Auditor received one confidential letter from inmates, staff, or other interested parties. The Auditor spoke with the individual while on site. Random inmates knew about the audit the posting and that information to the auditor would be confidential unless there were safety or criminal concerns.</p> <p data-bbox="242 1877 512 1906">Compliance Determination</p> <p data-bbox="242 1935 1452 2033">The Androscoggin County Sheriff's Office is working to come into compliance with all the standards and corresponding indicators. The facility has put policies and procedures in place; provided training and defined roles that will aid continued compliance moving forward once corrective measures are in place.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Policies and written/electronic documentation reviewed.</p> <p>Androscoggin County Jail Pre-Audit Questionnaire</p> <p>Policy 3.6.1 Prevention of Sexual Abuse, Sexual Harassment and Sexual Misconduct of Inmates</p> <p>Individuals interviewed/ observations made.</p> <p>Interview with Agency PREA Coordinator</p> <p>Summary Determination</p> <p>Indicator: (f) The indicator is marked NA since this is the Androscoggin County Sheriff's Office first Audit, there are no previous reports posted. The agency has PREA Information, and the Jail leadership understands that once the final report is issued, it must be uploaded to the agency website</p> <p>Compliance Determination</p> <p>The ACSO website has a PREA information link. The Auditor also took into consideration that the Agency PREA Coordinator was also aware of the timing requirement for the posting of the audit report.</p>

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

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?	na
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need 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.)	na
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 facility does not have female inmates.)	yes
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 with inmates with disabilities including inmates who: Have intellectual disabilities?	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: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes

115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	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.)	na
	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).)	yes
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

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

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

115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes
115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes
115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes

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

115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

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

115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes

115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	na

115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	na
115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes
115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	na
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.)	na
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 sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
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.)	yes
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.)	na
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.)	na
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na

115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	no

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