

# PREA Facility Audit Report: Final

Name of Facility: Lerdo Pretrial Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 12/27/2021

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: Karen d. Murray	Date of Signature: 12/27/2021

AUDITOR INFORMATION	
Auditor name:	Murray, Karen
Email:	kdmconsults1@gmail.com
Start Date of On-Site Audit:	11/16/2021
End Date of On-Site Audit:	12/16/2021

FACILITY INFORMATION	
Facility name:	Lerdo Pretrial Facility
Facility physical address:	17695 Industrial Farm Road, Bakersfield, California - 93308
Facility Phone	
Facility mailing address:	

Primary Contact	
Name:	Justin Weigand
Email Address:	weigandj@kernsheriff.org
Telephone Number:	6613912604

Warden/Jail Administrator/Sheriff/Director	
Name:	Commander Mark Warren
Email Address:	warrenm@kernsheriff.org
Telephone Number:	(661)391-2626

Facility PREA Compliance Manager	
<b>Name:</b>	Justin Weigand
<b>Email Address:</b>	weigandj@kernsheriff.org
<b>Telephone Number:</b>	O: (661) 391-2604

Facility Health Service Administrator On-site	
<b>Name:</b>	Margret Johnson
<b>Email Address:</b>	margaret.johnson@kernmedical.com
<b>Telephone Number:</b>	(661)391-3167

Facility Characteristics	
<b>Designed facility capacity:</b>	1336
<b>Current population of facility:</b>	813
<b>Average daily population for the past 12 months:</b>	720
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	Both females and males
<b>Age range of population:</b>	18+
<b>Facility security levels/inmate custody levels:</b>	Min, Med, Max
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	161
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	50
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	51

AGENCY INFORMATION	
<b>Name of agency:</b>	Kern County Sheriff's Office
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	1350 Norris Road, Bakersfield, California - 93308
<b>Mailing Address:</b>	
<b>Telephone number:</b>	661-391-7850

Agency Chief Executive Officer Information:	
<b>Name:</b>	
<b>Email Address:</b>	Davistyson@kernsheriff.org
<b>Telephone Number:</b>	661-39

Agency-Wide PREA Coordinator Information			
<b>Name:</b>	Ian Silva	<b>Email Address:</b>	silvai@kernsheriff.org

SUMMARY OF AUDIT FINDINGS
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The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

Number of standards exceeded:	
5	<ul style="list-style-type: none"> <li>• 115.34 - Specialized training: Investigations</li> <li>• 115.53 - Inmate access to outside confidential support services</li> <li>• 115.61 - Staff and agency reporting duties</li> <li>• 115.71 - Criminal and administrative agency investigations</li> <li>• 115.73 - Reporting to inmates</li> </ul>
Number of standards met:	
40	
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:	2021-11-16
2. End date of the onsite portion of the audit:	2021-12-16

### 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>Women's Center High Desert Inc., (Rape Crisis Center) 134 South China Lake Blvd. Mojave, CA 93555 Phone: 760.371.1969 (after hours 760.375.0745)</p> <p>Third Party Reporting Kern County Sheriff's Office Communication Center Phone: 661.861.3110.</p> <p>SANE/SAFE Facility Kern County SART Center 134 S. China Lake Blvd. Mojave, CA 93555 Phone: 1.800.273.7713</p>

## AUDITED FACILITY INFORMATION

14. Designated facility capacity:	1336
15. Average daily population for the past 12 months:	720
16. Number of inmate/resident/detainee housing units:	43
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:	728
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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:	1
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	1
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0
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:	2
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:	2
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:	1
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:	3
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:	3
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):	Please know the above information is based on numbers I experienced while working with the facility for the past three months. Actual accurate numbers are unknown as I did not know to ask these questions before the OAS update. I would also wonder if we couldn't add these questions on the PAQ to have facilities track these numbers.
<b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b>	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	160
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:	2

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:	8
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:	Due to COVID, the only volunteers were two Chaplains, six education staff and two community advocates who office at the facility.
<b>INTERVIEWS</b>	
<b>Inmate/Resident/Detainee Interviews</b>	
<b>Random Inmate/Resident/Detainee Interviews</b>	
53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	27
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?	I was provided rosters by living unit upon arrival. Rosters included the information checked above.
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):	I selected every tenth inmate from each living units' roster.
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	17

As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".

<p><b>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>1</p>
<p><b>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>1</p>
<p><b>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>The facility was quite transparent and open about all inmates and categories they may belong to. The facility was prepared with rosters of all inmates who were categorized as targeted.</p>
<p><b>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>1</p>
<p><b>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>2</p>
<p><b>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>2</p>
<p><b>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>1</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:	3
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:	3
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:	1
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	No text provided.

## Staff, Volunteer, and Contractor Interviews

### Random Staff Interviews

71. Enter the total number of RANDOM STAFF who were interviewed:	12
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 checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
If "Other," describe:	Chose staff who could be used as interpreters for Spanish speaking inmates. Those staff were used during the LEP interviews, as well.
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	Rosters were printed out each day, for each shift, to ensure we chose staff on shift, from each shift who worked in different living units and areas of the facility. I couldn't pick a standard 'every third' staff as shortages were apparent and almost every staff were working mandatory overtime. All staff worked all shifts, and each rotated every six weeks to another living unit.

### 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.

<b>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</b>	18
<b>76. Were you able to interview the Agency Head?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>78. Were you able to interview the PREA Coordinator?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>79. Were you able to interview the PREA Compliance Manager?</b>	<input 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><b>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Agency contract administrator</li> <li><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</li> <li><input checked="" type="checkbox"/> Line staff who supervise youthful inmates (if applicable)</li> <li><input checked="" type="checkbox"/> Education and program staff who work with youthful inmates (if applicable)</li> <li><input checked="" type="checkbox"/> Medical staff</li> <li><input checked="" type="checkbox"/> Mental health staff</li> <li><input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches</li> <li><input checked="" type="checkbox"/> Administrative (human resources) staff</li> <li><input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff</li> <li><input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations</li> <li><input checked="" type="checkbox"/> Investigative staff responsible for conducting criminal investigations</li> <li><input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness</li> <li><input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation</li> <li><input checked="" type="checkbox"/> Staff on the sexual abuse incident review team</li> <li><input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation</li> <li><input type="checkbox"/> First responders, both security and non-security staff</li> <li><input checked="" type="checkbox"/> Intake staff</li> <li><input type="checkbox"/> Other</li> </ul>
<p><b>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b></p>	<ul style="list-style-type: none"> <li><input checked="" type="radio"/> Yes</li> <li><input type="radio"/> No</li> </ul>
<p><b>a. Enter the total number of VOLUNTEERS who were interviewed:</b></p>	<p>2</p>

<p><b>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<p><input type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Mental health/counseling</p> <p><input checked="" type="checkbox"/> Religious</p> <p><input type="checkbox"/> Other</p>
<p><b>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>a. Enter the total number of CONTRACTORS who were interviewed:</b></p>	<p>2</p>
<p><b>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<p><input type="checkbox"/> Security/detention</p> <p><input checked="" type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Food service</p> <p><input type="checkbox"/> Maintenance/construction</p> <p><input checked="" type="checkbox"/> Other</p>
<p><b>83. Provide any additional comments regarding selecting or interviewing specialized staff.</b></p>	<p>No text provided.</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.

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

<p><b>85. Reviewing/examining all areas of the facility in accordance with the site review component of the audit instrument?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>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)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
88. Informal conversations with staff during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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).	Standard practice for me is to speak to several inmates and staff as I tour the facility. I also had inmates demonstrate how the phone system and the tablets worked when needing to make outside calls to report, if needed.

## 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.

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?	<input checked="" type="radio"/> Yes <input type="radio"/> No
91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).	For each formal staff and inmate interview, I reviewed corresponding files.

## 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
<b>Inmate-on-inmate sexual abuse</b>	5	5	25	25
<b>Staff-on-inmate sexual abuse</b>	1	1	1	1
<b>Total</b>	6	6	26	26

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
<b>Inmate-on-inmate sexual harassment</b>	1	0	1	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0
<b>Total</b>	1	0	1	0

## Sexual Abuse and Sexual Harassment Investigation Outcomes

### Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual abuse</b>	0	0	4	1
<b>Staff-on-inmate sexual abuse</b>	0	0	0	1
<b>Total</b>	0	0	4	2

### Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	11	8	3
Staff-on-inmate sexual harassment	0	0	0	0
<b>Total</b>	0	11	8	3

**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:	5
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:	4
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)

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

103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	1
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
<b>Sexual Harassment Investigation Files Selected for Review</b>	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	1
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)
<b>Inmate-on-inmate sexual harassment investigation files</b>	
108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	1
109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
<b>Staff-on-inmate sexual harassment investigation files</b>	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0

<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p> <input type="radio"/> Yes  <input type="radio"/> No  <input checked="" 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 type="radio"/> Yes  <input type="radio"/> No  <input checked="" 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>As I have stated in other areas of this audit reporting areas, I have not tracked all of the above information to the extent in which the new OAS is requesting. I did not my absolute best reporting out on the investigation numbers above; however, I could be incorrect, but believe I am close.</p> <p>Once I begin auditing facilities after December 2021, I will ask the above information. However, I would again suggest this information be added to the OAS for the facility to report on these numbers as it sometimes feels Auditors are asked to do more and more and make less and less. Could we have facilities enter at least the numbers they should be held accountable for, and we can report out on the information we reviewed. Such as investigations and file reviews?</p>

## SUPPORT STAFF INFORMATION

### DOJ-certified PREA Auditors Support Staff

<p>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.</p>	<p> <input type="radio"/> Yes  <input checked="" type="radio"/> No </p>
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### Non-certified Support Staff

<p>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.</p>	<p> <input type="radio"/> Yes  <input checked="" type="radio"/> No </p>
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## AUDITING ARRANGEMENTS AND COMPENSATION

<p><b>121. Who paid you to conduct this audit?</b></p>	<p><input type="radio"/> The audited facility or its parent agency</p> <p><input type="radio"/> My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)</p> <p><input checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm)</p> <p><input type="radio"/> Other</p>
<p><b>Identify the name of the third-party auditing entity</b></p>	<p>PREA Auditors of America</p>

**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	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, dated March 20, 2019</li> <li>3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Zero Tolerance of Sexual Abuse and Sexual Harassment P-100, dated March 20, 2019</li> <li>4. Kern County Sheriff's Office Executive, Command Staff, and Managers Organizational Chart, dated 2.29.2020</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Random Inmates</li> <li>2. Targeted Inmates</li> <li>3. Random staff</li> <li>4. PREA Compliance Manager</li> <li>5. PREA Coordinator</li> <li>6. PREA Compliance Sergeant</li> </ol> <p>Site Review Observation:</p> <p>During the tour the Auditor noted areas in the receiving area with toilets in view of other inmates and staff. each have toilets in view of other inmates and or staff. The Auditor strongly recommended toilets in the receiving holding cells are blocked from view when in use by inmates and or staff observation.</p> <p>During the tour of the facility, the Auditor witnessed PREA Zero-tolerance, Audit Notices and Crisis Intervention posters in pods, each living unit and throughout the compound in highly trafficked areas. PREA posters included information on third party, internal and external reporting to include contact and address information for advocates.</p> <p>(a) The Lerdo Pretrial Facility PAQ states the facility mandates zero-tolerance toward all forms of sexual abuse and sexual harassment in the facility it operates and those directly under contract. Kern County Sheriff's Office Detentions Bureau Policies and Procedures, Prevention and Detection of Sexual Abuse P-200, page 1, Policy, states, "The Kern County Sheriff's Office (KCSO) shall make every effort to provide all inmates with a safe, humane, and secure environment, free from the threat of sexual assault, sexual abuse, and sexual harassment. KCSO has implemented the following measures to prevent and detect all forms of sexual assault, sexual abuse and sexual harassment in its custodial facilities."</p> <p>(b) The Lerdo Pretrial Facility PAQ states the agency employs an upper-level, agency wide PREA Coordinator who has sufficient time and authority to develop, implement and oversee agency efforts to comply with the PREA standards in all of its facilities.</p> <p>The agency provided a Kern County Sheriff's Office Executive, Command Staff, and Managers Organizational Chart. The organizational chart's Compliance Section designates a PREA Coordinator.</p>

(c) The Lerdo Pretrial Facility PAQ states the organization chart, Compliance Section, PREA Sergeants serves as the PREA Compliance Manager. The PREA Compliance Manager reports to the PREA Coordinator.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Zero Tolerance of Sexual Abuse and Sexual Harassment P-100, page 4, section 115.11, policy states, "The Detentions Bureau is committed to enforcing the standards set forth by the Prison Rape Elimination Act (PREA). In support of KCSO's zero-tolerance of sexual abuse of inmates, a Detentions Bureau PREA Coordinator and PREA Compliance Sergeant with sufficient authority to develop, implement, and oversee efforts to comply with the PREA standards have been designated. The Administrative Sergeant of each jail facility has been designated as the Facility PREA Compliance Manger to coordinate the PREA compliance efforts for their respective facilities.

<b>115.12</b>	<b>Contracting with other entities for the confinement of inmates</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 432 300">Document Review:</p> <ol data-bbox="240 331 1485 448" style="list-style-type: none"> <li data-bbox="240 331 564 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 389 1485 448">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, dated March 20, 2019</li> </ol> <p data-bbox="240 533 352 560">Interviews:</p> <ol data-bbox="240 591 576 618" style="list-style-type: none"> <li data-bbox="240 591 576 618">1. PREA Compliance Sergeant</li> </ol> <p data-bbox="240 649 1485 743">During the pre-audit phase, the PREA Compliance Sergeant conveyed the agency did have privatized contracts. Such contracts do contain language mandating each private provider comply with PREA standards. In addition, unionized staff are mandated to comply with PREA standards and disciplinary action would swiftly take place should noncompliance exist.</p> <p data-bbox="240 828 1477 891">(a) The Lerdo Pretrial Facility PAQ states agency does not contract with private agencies for confinement services of their Inmates.</p>

115.13	<b>Supervision and monitoring</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 432 300">Document Review:</p> <ol data-bbox="240 331 1474 846" style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, dated March 20, 2019</li> <li>3. Kern County Sheriff Jail Facility Staffing Plan Process - DBPPM P-200 Attachment "E", not dated</li> <li>4. Lerdo Pre-Trial Facility Jail Staffing Plan 2021</li> <li>5. PT Squad 1, 08-05-21 THR (staffing plan deviation)</li> <li>6. PT Squad 3, 08-05-21 THR (staffing plan deviation)</li> <li>7. PT Squad 2, 05-24-21 THR (staffing plan deviation)</li> <li>8. PT Squad 4, 05-24-21 THR (staffing plan deviation)</li> <li>9. Unannounced round logbooks for all areas of the facility, throughout the year 2020-2021</li> </ol> <p data-bbox="240 936 352 963">Interviews:</p> <ol data-bbox="240 994 574 1249" style="list-style-type: none"> <li>1. PREA Compliance Sergeant</li> <li>2. PREA Compliance Manager</li> <li>3. Random inmates</li> <li>4. Targeted inmates</li> <li>5. Random staff</li> </ol> <p data-bbox="240 1339 1457 1402">Staff and inmates interviewed could attest to supervisory staff conducting unannounced rounds, each day, often occurring multiple times per day. Staff attested to completing rounds at random times and through random direction.</p> <p data-bbox="240 1491 483 1518">Site review observation:</p> <p data-bbox="240 1550 1428 1608">Staff were consistently noticed documenting rounds in logbooks in both green and red pen to indicate an unannounced round had been completed.</p> <p data-bbox="240 1697 1474 1823">(a) The Lerdo Pretrial Facility PAQ states the facility requires the facility to develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against abuse. The daily number of inmates, based on the facility website on August 20, 2021, is 720 and the staffing plan was predicated on 1000 inmates as is shown on the facility website.</p> <p data-bbox="240 1912 1481 2002">The Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Protection P-200 page 3, section Directive #3: Staffing Plan, states, "The Kern County Sheriff's Detentions Bureau shall maintain written staffing plans for each of its custodial facilities that will provide a safe and secure environment for both inmates and staff.</p> <p data-bbox="240 2092 1490 2150">The staffing plans shall adhere to all state and local laws, regulations, standards, and generally accepted detention and correctional practices, with an emphasis on. The staffing plans shall adhere to all state and local laws, regulations, standards,</p>

and generally accepted detention and correctional practices, with an emphasis on preventing and detecting sexual abuse, assault, or harassment of inmates in accordance with federal Prison Rape Elimination Act standards.”

The facility provided the Kern County Sheriff Jail Facility Staffing Plan process which states, “Lastly, in compliance with PREA standard 115.13 and 115.113 facility managers are now consulting with the PREA Coordinator, who is also a facility manager about the various requirements of the standards and how to apply them when considering their staffing. Facility managers meet often throughout the year with Sheriff’s administration staff and staffing issues are always discussed.”

The facility provided the Lerdo Pre-Trial Facility Jail Staffing Plan 2021. The staffing plan considers each required component of the standard provision.

(a) The Lerdo Pretrial Facility PAQ states the facility documents each time the staffing plan is not complied with, the facility documents and justifies deviations. The facility had four deviations from the required ratios of their staffing plan. Primary reasons for deviations were sick leave, vacation and hospital transports.

The Kern County Sheriff’s Office Detentions Bureau Policies and Procedures, Prevention and Detection of Sexual Abuse, page 3, section Directive #3, states, “Facility shift staffing schedules shall be prepared in accordance with the facility staffing plan. Any circumstances where the staffing plan is not complied with shall be documented in the facility Shift Supervisor logbook and in an e-mail sent to the incident of interest (IOI) e-mail group at the end of the shift.”

The facility provided four documents titled PT Squad 1-4, which documents deviations from staffing plans. Each document provides designated shift assignments for each employee, person off shift, reason, replacement, and times of each day staffing was lower than scheduled.

(c) The Lerdo Pretrial Facility PAQ states at least once every year the facility/agency, in collaboration with the PREA Coordinator, reviews the staffing plan to whether adjustments are needed in (a) the staffing, (b) the deployment of monitoring technology, or (c) the allocation of agency/facility resources to commit to the staffing plan to ensure compliance with the staffing plan.

The Kern County Sheriff’s Office Detentions Bureau Policies and Procedures, Prevention and Detection of Sexual Abuse, page 3, section Directive #3, states, “Each facility staffing plan shall be reviewed annually by the Section Manager and the PREA Coordinator to assess any necessary adjustments to the staffing plan and the monitoring systems.” (As described in the organizational chart, the Section Manager is the facility PREA Manager.)

(d-e) The Lerdo Pretrial Facility PAQ requires that intermediate level or higher-level staff conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment. The Kern County Sheriff’s Office Detentions Bureau Policies and Procedures, Prevention and Detection of Sexual Abuse, page 3, section Directive #5, states, “KCSO normal operation procedures require facility supervisors to make unannounced supervisory checks of each post during each shift. The supervisory checks will be documented in the post log book and through use of the P.I.P.E system. Staff members are prohibited from alerting other staff that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility.

Maximum-Medium Section supervisors will inspect active posts and occupied housing units at the Minimum Facility including the Gate one (1) and Gate five (5) posts, the Lerdo complex kitchen, and laundry area as part of their regular supervisory checks.

Except for work areas that are not operational during holidays or weekends, these inspections are required to be performed each day unannounced and at random times by each shift supervisor.”

The Facility provided the following unannounced logs with an overview of each 'Pod's' documentation.

- The Pre-Trial Facility has seven housing "Pods". A-Pod, B-Pod, C-Pod, D-Pod, E-Pod, F-Pod, and H-Pod. There is no G-Pod.
- Each Pod Floor Office has two logbooks, one day shift and one night shift, that are maintained by the floor Detention Deputy.
- Each Pod Control Room also has two logbooks, one day shift and one night shift, that are maintained by the Control Room Sheriff's Aide.
- Four logbooks total per Pod.
- The Infirmary has two logbooks, one-day shift and one-night shift, that are maintained by the Infirmary Detention Deputies.
- Receiving has two logbooks, one-day shift and one-night shift, that are maintained by the Receiving Detention Deputies.
- The logbooks are labeled A/C (A Control), A/F (A Floor), etc.
- All Supervisors (Sergeants and Senior Deputies) document in the logbooks with green ink.
- All Managers (Chief Deputies, Commanders, and Lieutenants) document in the logbooks with blue ink.

115.14	<b>Youthful inmates</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 329 1469 448" style="list-style-type: none"> <li data-bbox="242 329 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="242 387 1469 448">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Vulnerable PREA Population Inmates P-400, dated 7.7.2014</li> </ol> <p data-bbox="242 535 352 564">Interviews:</p> <ol data-bbox="242 593 574 678" style="list-style-type: none"> <li data-bbox="242 593 574 622">1. PREA Compliance Sergeant</li> <li data-bbox="242 651 574 678">2. PREA Compliance Manager</li> </ol> <p data-bbox="242 707 1477 768">The PAQ provided by the facility stated this facility did not house youthful inmates. Through discussions with both the PREA Compliance Manager and the PREA Compliance Sergeant demonstrated youthful inmates were not housed at this facility.</p> <p data-bbox="242 855 416 884">Site Observation:</p> <p data-bbox="242 913 1477 974">The facility tour, formal and informal interviews with staff demonstrated youthful inmates are never housed at the Lerdo Pre-Trial facility.</p> <p data-bbox="242 1061 1457 1256">(a-b) The Lerdo Pretrial Facility PAQ states the facility does house youthful inmates. In the past 12 months the number of housing units to which youthful inmates are assigned that provide sight and sound separation between youthful and adult offenders has been zero. The Kern County Sheriff's Office Detentions Bureau Policies and Procedures, Vulnerable PREA Population Inmates P-400, page 2, section Procedure A: Youth Inmates/Suspected Juveniles, states, "KSCO will not knowingly book or detain persons under the legal age of eighteen. Inmates determined after booking and/or housing to be juveniles shall be transferred to an appropriate juvenile facility.</p> <p data-bbox="242 1285 1485 1413">Inmates claiming to be juveniles shall be given the opportunity to verify their age through legal documentation either from their property or so presented by a family member. Inmates determined to be juveniles shall immediately be moved to a location away from sight and sound of adult inmates. Security staff shall continuously monitor the juvenile by direct supervision, until transfer to an appropriate juvenile facility or release by court order can be performed."</p> <p data-bbox="242 1500 1469 1561">(a) The Lerdo Pretrial Facility PAQ documents exigent circumstances; however, the facility has not had youthful inmates in the last 12 months.</p>

115.15	<b>Limits to cross-gender viewing and searches</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 432 300">Document Review:</p> <ol data-bbox="240 331 1477 685" style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse, dated March 20, 2019.</li> <li>3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Intake and Screening P-350, dated 04.22.2015</li> <li>4. Kern County Sheriff Training Bulletin: Cross-gender "PAT" Searches and Searches of Transgender or Intersex inmates, dated, 11.2.2016</li> <li>5. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Searches – General, dated 10.1.2007</li> </ol> <p data-bbox="240 721 352 748">Interviews:</p> <ol data-bbox="240 779 576 1034" style="list-style-type: none"> <li>1. Random inmates</li> <li>2. Targeted inmates</li> <li>3. Random staff</li> <li>4. Intake staff</li> <li>5. PREA Compliance Sergeant</li> </ol> <p data-bbox="240 1066 1485 1187">Interviews with staff demonstrated cross-gender searches had been trained; however, staff interviewed stated they had never heard of such a search and or searched an inmate opposite of their own gender. In addition, all inmates reported their initial and any subsequent searches were completed respectfully. If inmates ask to be searched by a staff of the gender in which the inmate, staff state they would accommodate the inmates wishes.</p> <p data-bbox="240 1276 496 1303">Site Review Observation:</p> <ol data-bbox="240 1335 440 1420" style="list-style-type: none"> <li>1. Receiving area</li> <li>2. Search area</li> </ol> <p data-bbox="240 1451 1493 1612">During the tour of the facility the Auditor observed the Receiving department. This area is also the area where inmates are provided PREA Education. In addition, an inmate cannot complete the booking process without completing a risk assessment and signing documentation attesting to being made aware of the agency's zero tolerance policies and having the opportunity to ask questions about the PREA education they received and acknowledging the education received. Training records reviewed demonstrated staff were trained for each gender for each type of search applicable in each building.</p> <p data-bbox="240 1697 1449 1796">Inmates are allowed to individually change clothing behind a stall with a full PREA curtain in place. Inmates are typically brought in from another facility which requires only a pat search. Inmates who are need of a strip search are searched by same gender staff.</p> <p data-bbox="240 1881 1473 1980">(a) Lerdo Pretrial Facility PAQ states the facility does not conduct cross-gender strip or cross-gender visual body cavity searches of their Inmates. In the past 12 months the facility has conducted zero cross-gender strip or cross-gender visual body cavity searches of Inmates.</p> <p data-bbox="240 2065 1481 2163">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse, page 6, Directive #10 and #11, states, "KCSO shall conduct all searches of inmates in a professional, equal, and impartial manner so as not to harass or cause humiliation to the inmate. Pat-down searches shall be performed as follows:</p>

Lerdo / CRF:

- Cross gender pat-down searches are not performed except in exigent circumstances.

Lock-ups (Mojave Substation / Ridgecrest Jail):

- Cross gender pat-down searches of female inmates by male staff are permitted under exigent circumstances.
- Cross gender pat-down searches of females by male staff shall be conducted utilizing the least intrusive methods such as "back of the hand" search techniques as taught by the Defensive Tactics team.
- Cross gender pat-down searches of male inmates by female staff are permitted in lock-ups and shall be done in the least intrusive and professional manner.

Directive #11: Visual Body Cavity Searches: Strip searches and/or visual body cavity searches will be conducted by a staff member of the same gender as the inmate being searched."

(b) Lerdo Pretrial Facility PAQ states the facility does not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. The facility does not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision. There have been zero pat-down searches of female inmates that were conducted by male staff. The number of pat-down searches of female inmates conducted by male staff that did not involve exigent circumstances is zero.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures, Prevention and Detection of Sexual Abuse, page 2, defines cross-gender pat-down searches as is demonstrated in provision (a) of this standard.

(c) Lerdo Pretrial Facility PAQ states the facility policy does not require that all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches be documented and justified as cross-gender strip searches and body cavity searches are not allowed. Kern County Sheriff's Office, DBPPM P-200 Directive #11, states, "Strip searches and cavity searches are only to be done by a staff member of the same gender as the inmate being searched."

(d) Lerdo Pretrial Facility PAQ states the facility has implemented policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without non-medical 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 (this includes viewing via video camera).

Kern County Sheriff's Office Detentions Bureau Policies and Procedures, Prevention and Detection of Sexual Abuse, page 6, section Directive #12: Cross Gender Viewing, states, "Inmates will be able 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.

- When entering an opposite sex housing unit (Male deputy entering female housing or female deputy entering male housing), deputies are required to announce their presence, have their presence announced or otherwise ensure inmates are informed they will be or are entering the housing unit. Notification methods may include;

- Public Address (PA) system announcements;

- Personal announcement at unit door prior to viewing any toilet area.

- Notifications shall be documented in the housing log book, control room log book, or Minimum barracks security check log sheet as “entrance notice given”.

- Minimum Section deputies will notify the Female Minimum Duty deputy via radio that they have given an entry notice when calling in their barracks safety / security checks.

- Female staff members are required to announce themselves prior to walking into a men's shower or bathroom area regardless of any inmate warning at housing unit entrance.

- Monitors viewed by staff showing inmates of the opposite gender while they are showering, performing bodily functions, or changing clothing, shall have the toilet area obscured for privacy.”

(e) The Lerdo Pretrial Facility PAQ states the facility has a policy prohibiting staff from searching or physically examining a transgender or intersex Inmate for the sole purpose of determining the Inmate's genital status. Such searches did not occur in the past 12 months.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Intake and Screening, page 2, section Procedure A: Intake Process, states, “If the inmate's genital status is unknown, it may be determined through conversations with the inmate, or by having medical staff review the inmates' records. Staff will not physically examine or conduct a strip search solely to determine the inmates' genital status.

(f) The Lerdo Pretrial Facility PAQ states 100% of security staff receive training on conducting cross-gender pat-down searches and searches of transgender and intersex Inmates in a professional and respectful manner.

The agency provided a Kern County Cross-gender “PAT” Searches and Searches of Transgender or Intersex Inmates Training Bulletin. The bulletin describes the agency's protocol for PREA Standard 115.15 Limits to Cross-gender Viewing and Searching. Staff who receive this training are required to ‘Sign In’ to acknowledge they have read the bulletin.

115.16	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 435 300">Document Review:</p> <ol data-bbox="240 331 1493 685" style="list-style-type: none"> <li data-bbox="240 331 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 389 1493 448">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Vulnerable PREA Populations Inmates P-0400, dated 7.7.2014</li> <li data-bbox="240 479 1145 506">3. Language Line contract between County of Kern and Language Line, dated 6.30.2017</li> <li data-bbox="240 537 1473 595">4. Amendment Number 2 to Personal/Professional Services Agreement (Kern County – Language Line), dated 6.30.2020 – 6.30.2022</li> <li data-bbox="240 627 1425 685">5. Inmate Education Brochures (English and Spanish) titled, "A Prison Rape Elimination Act (PREA) Guide of Inmate Rights and Reporting Sexual Abuse or Staff Sexual Misconduct", not dated</li> </ol> <p data-bbox="240 775 352 801">Interviews:</p> <ol data-bbox="240 833 576 972" style="list-style-type: none"> <li data-bbox="240 833 464 860">1. Targeted inmates</li> <li data-bbox="240 891 400 918">2. Intake staff</li> <li data-bbox="240 949 576 976">3. PREA Compliance Sergeant</li> </ol> <p data-bbox="240 1066 1457 1155">During interviews with staff, each stated inmates were not used for translation services. Barriers were not apparent during interviews and or the facility tour. Three inmates interviewed revealed a strong accent; however, inmates verified they understood the PREA education they received and were aware of current PREA protocols in place at the facility.</p> <p data-bbox="240 1245 1457 1335">(a) The Lerdo Pretrial Facility PAQ states the agency has established procedures to provide disabled Inmates equal opportunities to be provided with and learn about the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment.</p> <p data-bbox="240 1424 1457 1482">Kern County Sheriff's Office Detentions Bureau Policies and Procedures, Vulnerable PREA Populations Inmates P-0400, pages 2-3, section Procedures B-C, states “:</p> <p data-bbox="240 1572 735 1599">“Procedure B: Inmates with hearing impairments:</p> <p data-bbox="240 1666 1457 1724">KCSO shall provide hearing impaired inmates with TTY devices and/or language interpreters who can interpret effectively, accurately, and impartially, its efforts to prevent, detect, and respond to sexual abuse and sexual harassment.</p> <ul data-bbox="240 1814 1457 1989" style="list-style-type: none"> <li data-bbox="240 1814 1457 1872">· KCSO will provide written materials using formats and methods that ensure effective communication with inmates with disabilities.</li> <li data-bbox="240 1962 1273 1989">· KCSO shall not utilize inmate interpreters unless necessary for the safety of the inmate or an officer.</li> </ul> <p data-bbox="240 2078 1493 2136">KCSO 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 stated in the Americans with Disabilities Act</p>

(ADA).

[Refer to DBPPM H-1200 Inmates with disabilities for information not related to PREA]

Procedure C: Inmates with limited English proficiency (LEP)

KCSO employs multiple staff certified as fluent in Spanish and available to translate for monolingual, Spanish-speaking inmates.

- KCSO subscribes to Language Line services to provide telephonic interpreter services to LEP inmates in an effective, accurate, and impartial manner.
- All written materials related to PREA shall be printed in Spanish and be readily available to monolingual, Spanish-speaking inmates.
- Upon request, Inmates speaking a language other than English or Spanish shall be provided with materials printed in the language in which they are fluent.
- Inmates with limited ability to read any language or visually impaired inmates shall have PREA related information provided to them verbally.

The facility provided a contract between Kern County and Language Line, defining interpreter services for inmates in each of the agency facilities, to include the Pre-Trial Facility. The current contract is dated 6.30.2020 through 6.30.2022.

The facility provided Inmate PREA Education Brochures in both English and Spanish. Brochures explain the following topic areas to inmates:

- What is sexual abuse
- If you sexually assault / abuse or harass anyone
- Inmate rights granted by PREA
- Help and healing starts by reporting abuse and misconduct
- Other reporting options and who to contact
- External contact information
- What to expect after reporting an assault or abuse
- The Sheriff's Office enforces a zero tolerance policy against sexual assault or abuse
- Sexual assault / abuse facts

(b) The Lerdo Pretrial Facility PAQ states the agency has established procedures to provide inmates with limited English 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. The facility addresses compliance in provision (a) of this standard.

(c) The Lerdo Pretrial Facility PAQ states the agency prohibits the use of Inmate interpreters. In the last 12 months the

facility has had zero instances where Inmates were used for interpreters. Kern County Sheriff's Office Detentions Bureau Policies and Procedures, Vulnerable PREA Populations Inmates P-0400, pages 3, section Procedures C, states, "KCSO shall not utilize inmate interpreters unless necessary for the safety of the inmate or an officer."

115.17	<b>Hiring and promotion decisions</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 432 300">Document Review:</p> <ol data-bbox="240 331 1493 537" style="list-style-type: none"> <li data-bbox="240 331 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 389 1449 448">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA-Hiring, Promotions and Discipline P-900, dated 6.4.2015</li> <li data-bbox="240 479 1493 537">3. Kern County Sheriff's Office Memorandum was received from Lieutenant Alex Garcia, Kern County Sheriff's Office PREA Coordinator, RE: Corrective Action, on 12.10.2021</li> </ol> <p data-bbox="240 627 352 654">Interviews:</p> <ol data-bbox="240 685 576 766" style="list-style-type: none"> <li data-bbox="240 685 576 712">1. PREA Compliance Sergeant</li> <li data-bbox="240 743 576 770">2. Human Resource Technician</li> </ol> <p data-bbox="240 860 1442 1016">Interviews with the Human Resource Technician demonstrated applicants determined to have been convicted of sexual abuse or sexual harassment charges were screened out during the application review process. All though the agency answers institutional reference checks, current practice does not include the agency completing institutional reference checks. Currently the agency is not conducting background checks and or is aware of the system in place captures such information for employees outside of the state of California.</p> <p data-bbox="240 1106 1493 1232">In response to the following: a memorandum was received from Lieutenant Alex Garcia, Kern County Sheriff's Office PREA Coordinator on 12.10.2021, stating the following: In compliance with your findings for the Kern County Sheriff's Office Mojave, Ridgecrest, and Pre-Trial Jail Facilities 2021 PREA audit. The listed corrections will be made to the following PREA standards on or before March 1, 2021."</p> <p data-bbox="240 1321 496 1348">Site Review Observation:</p> <p data-bbox="240 1379 1401 1438">During review of staff personnel files reviewed, this Auditor noted that institutional references were not completed for applicable staff at the facility. Facility staff were unaware of this process.</p> <p data-bbox="240 1527 1484 1653">In addition, files reviewed demonstrated each had criminal and applicable background checks conducted upon hire. The agency relies on Live Scan to report negative interactions with law enforcement. According and demonstrated by the Human Resource Specialist reports from Live Scan are downloaded weekly. The same practice of background check process exists for all contractors and volunteers who have contact with inmates.</p> <p data-bbox="240 1742 1465 1836">(a) The Lerdo Pretrial Facility PAQ states agency policy prohibits hiring or promoting anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who has engaged in or been convicted in or administratively adjudicated in sexual activity described in paragraph (a)(2) of this standard.</p> <p data-bbox="240 1921 1493 2119">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 1, policy statement states, "KCSO has multiple procedures in place to facilitate the hiring, retention, or promotion of employees. Procedures are in place that require KCSO to decline or terminate the services of any contractor or volunteer who has been convicted of sexual abuse or sexual harassment, or who has a civil or administrative adjudication against them for sexual abuse or sexual harassment. Additionally, prior arrests and/or detentions of peace officer applicants may disqualify them for employment."</p>

Page 2, section Directive #1, states, "KCSO shall not hire, promote or contract with anyone who has engaged, or attempted to engage in sexual abuse in a penal institution or who has been convicted of engaging in non-consensual sexual activity accomplished by force, threats or other forms of coercion. KCSO shall not hire, promote or contract with anyone who has a civil judgment or administrative adjudication against them for engaging, or attempting to engage in non-consensual sensual activity accomplished by force threats or other forms of coercion."

(b) The Lerdo Pretrial Facility PAQ states the agency policy requires the consideration of any incidents of sexual harassment when determining to hire and or promote anyone, or to enlist services of any contractor, who may have contact with Inmates.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 2, section Procedure A: Hiring, states, "KCSO requires all applicants to disclose on their Personal History Statement Application any accusation of discrimination against them, (including, but not limited to, sexual harassment, racial bias, sexual orientation harassment) by a co-worker, superior, subordinate, or customer."

(c) The Lerdo Pretrial Facility PAQ states the agency policy requires background checks are conducted with all new hires who have contact with inmates and makes 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. In the past 12 months all persons hired have contact with inmate and all have had criminal background checks.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 2-3, section Procedure A: Hiring, states, "KCSO performs a criminal history records check on all applicants, which may include the submission of finger prints to DOJ and FBI.

KCSO requires all applicants to disclose on their Personal History Statement Application any accusation of discrimination against them, (including, but not limited to, sexual harassment, racial bias, sexual orientation harassment) by a co-worker, superior, subordinate, or customer.

KCSO contacts prior employers to learn of any past performance, behavior, or legal issues that could be deemed disqualifying for employment, including substantiated allegations or resignations while an investigation is pending.

For contractor and volunteer applicants, KCSO may contact prior employers dating back five (5) years.

For civilian applicants, KCSO will contact prior employers dating back ten years.

For peace officer applicants, KCSO will contact all prior employers.

KCSO provides the following admonition to all applicants in writing; Deliberate misstatements or omissions can and often will result in your application being rejected, regardless of the nature or reason for the misstatements/omissions.

KCSO sends inquiry letters to all law enforcement agencies adjacent to each of the applicants' prior residences to learn of any activities or actions that could disqualify applicants for employment.

KCSO is a subscriber to both DOJ and FBI's fingerprint alert system. For the duration of their employment, KCSO will receive notification of any arrest and the charges against any employee or contractor.

KCSO will impose on its employees a continuing affirmative duty to disclose any misconduct that may disqualify an applicant from employment or that may merit discipline of an employee. This includes written applications, personal history statements, interviews for hiring and/or promotions, and written self-evaluations.

Material omissions regarding such misconduct or the provision of materially false information shall be grounds for termination.

Unless prohibited by law, KCSO will provide prospective employers information regarding substantiated allegations of sexual abuse or sexual harassment involving a present or former employee."

(d) The Lerdo Pretrial Facility PAQ states the agency policy requires that a criminal background records check be completed before enlisting the services of any contractor who may have contact with inmates. In the past 12 months there were 5 contracts for services where criminal background record checks were conducted on all contractors covered in the contract who might have contact with inmates.

(e) The Lerdo Pretrial Facility PAQ states the Kern County Sheriff's Office Detentions Bureau states the agency requires background checks to be completed every five years.

(f) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 2, section Procedure A: Hiring, states, "KCSO requires all applicants to disclose on their Personal History Statement Application any accusation of discrimination against them, (including, but not limited to, sexual harassment, racial bias, sexual orientation harassment) by a co-worker, superior, subordinate, or customer."

(g) The Lerdo Pretrial Facility PAQ states the agency policy states material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 2, section Procedure A: Hiring, states, "KCSO provides the following admonition to all applicants in writing;

- Deliberate misstatements or omissions can and often will result in your application being rejected, regardless of the nature or reason for the misstatements/omissions.

- KCSO sends inquiry letters to all law enforcement agencies adjacent to each of the applicants' prior residences to learn of any activities or actions that could disqualify applicants for employment.

(h) The Kern County Sheriff's Office Human Resource Department in tandem with the PREA Compliance Sergeant review all incoming reference requests.

<b>115.18</b>	<b>Upgrades to facilities and technologies</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <ol data-bbox="242 271 1007 353" style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures</li> </ol> <p data-bbox="242 443 352 472">Interviews:</p> <ol data-bbox="242 501 576 530" style="list-style-type: none"> <li>1. PREA Compliance Sergeant</li> </ol> <p data-bbox="242 616 499 645">Site Review Observation:</p> <ol data-bbox="242 674 568 815" style="list-style-type: none"> <li>1. Control centers in each Pod</li> <li>2. Control area in medical</li> <li>3. Supervisor's office</li> </ol> <p data-bbox="242 902 1453 996">During a tour of the supervisor's office and control centers in each pod, the Auditor witnessed all cameras being operable. Cameras in Pods do not have access to inmate cells. Cameras in the medical department can see in cells; however, grey squares appear on monitors, blocking view of inmates while utilizing toilets.</p> <p data-bbox="242 1084 1426 1279">(a) The Lerdo Pretrial Facility PAQ states the agency has acquired a new facility or made substantial expansions or modifications to existing facilities since the last PREA audit. The agency added the AES Center. The Kern County AES ("Admission, Evaluation, and Stabilization") Center is a jail-based competency evaluation and restoration program established through a collaboration between the Kern County Sheriff's Office, California Department of State Hospitals (DSH), and Correct Care Recovery Solutions. Correct Care Recovery Solutions was awarded the contract through a competitive procurement process.</p> <p data-bbox="242 1366 1490 1395">(b) The Lerdo Pretrial Facility PAQ states the facility has installed electronic surveillance system since the last PREA audit.</p>

115.21	<b>Evidence protocol and forensic medical examinations</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 435 300">Document Review:</p> <ol data-bbox="240 331 1469 775" style="list-style-type: none"> <li data-bbox="240 331 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 389 1453 452">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Sexual Assault/Abuse – Security Response Plan P-500, dated 7.7.14</li> <li data-bbox="240 483 1469 546">3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Criminal and Administrative Investigations P-600, dated 5.21.2014</li> <li data-bbox="240 577 1469 640">4. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Vulnerable PREA Population Inmates P-400, dated 7.7.14</li> <li data-bbox="240 669 1469 732">5. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-550, dated 6.4.2015</li> <li data-bbox="240 761 1417 788">6. Kern County Personal/Professional Services Agreement with Women's' Center High Desert Inc., dated 6.18.2020</li> </ol> <p data-bbox="240 869 352 896">Interviews:</p> <ol data-bbox="240 927 576 1411" style="list-style-type: none"> <li data-bbox="240 927 459 954">1. Random Inmates</li> <li data-bbox="240 985 464 1012">2. Targeted Inmates</li> <li data-bbox="240 1043 424 1070">3. Random staff</li> <li data-bbox="240 1102 451 1128">4. Specialized staff</li> <li data-bbox="240 1160 560 1187">5. Medical Clinical Supervisor</li> <li data-bbox="240 1218 379 1245">6. Advocate</li> <li data-bbox="240 1276 576 1303">7. PREA Compliance Sergeant</li> <li data-bbox="240 1335 496 1361">8. Agency Investigators</li> <li data-bbox="240 1393 568 1420">9. Internal Affairs Investigators</li> </ol> <p data-bbox="240 1500 352 1527">Interviews:</p> <p data-bbox="240 1559 1469 1653">Interviews with all Inmates and staff interviewed demonstrated all were clearly aware of reporting protocols for sexual harassment and abuse. Of those interviewed, each were comfortable reporting internally and understood the processes for reporting externally.</p> <p data-bbox="240 1738 1485 1868">Every staff interviewed clearly articulated first responder duties to include protecting, preserving and reporting. When each were asked where this information was located, responses included postings in the units and around the facility. Investigators clearly articulated protocols for investigation processes and each demonstrated immediate action for sexual harassment and sexual abuse allegations.</p> <p data-bbox="240 1953 496 1980">Site Review Observation:</p> <p data-bbox="240 2011 1469 2105">There were five criminal investigations reported in the last 12 months. Of those five investigations, documentation supports victims and perpetrators were separated immediately following the report of allegations. Review of investigations demonstrated each were completed through a fair and timely process.</p>

During the tour of the facility, various inmates addressed the PREA Compliance Sergeant demonstrating they not only knew him and felt comfortable asking him questions.

(a) The Lerdo Pretrial Facility PAQ states the facility is responsible for conducting Administrative and Criminal Investigations.

The Kern County Sheriff's Office Detentions Bureau Policies: Criminal and Administrative Investigations, page 1, policy statement, states, "The Kern County Sheriff's Office (KCSO), as a law enforcement agency shall promptly, thoroughly, and objectively investigate all reports of inmate sexual assault, abuse, harassment, or retaliation occurring in its custodial facilities, including third-party and anonymous reports. Investigations shall be conducted utilizing standard investigation methods in accordance with all laws. No standard higher than a preponderance of the evidence shall be used in determining whether allegations or sexual abuse or sexual harassment are substantiated in administrative investigations."

The Kern County Sheriff's Office Detentions Bureau Policies: Criminal and Administrative Investigations, page 4, section Procedure A: SAAIU detective will, states, "Conduct investigation according to SAAIU protocols."

(b) The Lerdo Pretrial Facility PAQ states the protocol being developmentally appropriate for is not applicable as the facility does not house youthful offenders. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Vulnerable PREA Populations Inmates, page 1, policy statement, "The Kern County Sheriff's Office (KCSO) recognizes that certain inmates in its custody are potentially vulnerable and at greater risk for sexual abuse or sexual harassment.

KCSO shall apply the specific guidelines afforded by the PREA standards to protect at-risk or vulnerable populations from abuse."

(c) The Lerdo Pretrial Facility PAQ states the facility offers all Inmates who experience sexual abuse access to forensic medical examinations. Forensic examinations are offered at no cost to the victim. Where possible, all examinations are conducted by SAFE or SANE examiners. There have been zero medical exams, SAFE/SANE exams performed in the last 12 months.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures, Victim Services Response Plan P-550, page 1, section policy statement states, "The Kern County Sheriff's Office (KCSO) Detentions Bureau has developed a policy on victim services and a victim services response plan to provide inmate victims of sexual harassment, abuse or assault with immediate intervention and/or prompt emergency and crisis intervention services from medical, mental health, and victim advocates. KCSO shall provide free community level medical and mental health services to all sexual abuse victims with or without cooperation in any subsequent investigation."

Page 2, section Definitions, states, "Medical practitioners specially trained in the examination of victims of sexual assault, for the purpose of collecting forensic evidence and providing treatment and support to the victim.

Page 3, section Procedure A, states, "Medical staff shall offer victims of sexual abuse access to forensic medical examinations at an approved contracted hospital providing evidentiary or medically appropriate care. The examinations will be performed by a Sexual Assault Nurse Examiner (SANE).

(d) The Lerdo Pretrial Facility PAQ states the facility attempts to make a victim advocate from a rape crisis center available to the victim, in person or by other means. All efforts are documented. If a rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff or community member.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-0550, page 6, section Procedure D: Victim Advocacy and ongoing support states, "KCSO contracts with a provider of professional rape crisis advocate counseling services for inmates sexually abused or assaulted during incarceration. Per KCSO's victim advocate agreement, the victim advocate shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals, as requested by the victim."

The facility provided the Kern County Personal/Professional Services Agreement with Women's' Center High Desert Inc. (Rape Crisis Center) at 134 S. China Lake Blvd, Ridgecrest, CA 93555. On 10.9.2021 the Auditor phoned 760.371.1969 and received a message stating the Center was open Monday through Friday, 8:00 am to 5:00 pm, if the call was an emergency to dial 760.375.0745. Upon calling the emergency number, the call was answered by an answering service. The answering service operator took the Auditor's name and contact number and stating she would forward the message to an on call staff. Within one minute of speaking with the answering service a call back was received. The Auditor explained to the caller the purpose of verifying the Women's Center's knowledge and involvement with the Lerdo Pretrial Facility. The caller, Austin H. stated he was aware of the facility and went on to explain the Center had trained volunteers for after hour calls and trained certified employees during work hours to take calls from the facility. The caller stated depending on the need of the inmate, he would either talk with him/her and if further help was needed, he would contact the dedicated staff for PREA calls, who he had contact information for and had access to contact at any time.

(e) The Lerdo Pretrial Facility PAQ states a qualified staff or community member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information and referrals.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-0550, page 7, section Victim Advocacy and Support, states, "KCSO shall enable reasonable communication between inmates and community based services, in as confidential a manner as possible. KCSO will 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.

Under KCSO's victim services MOU, inmates who report sexual abuse or assault prior to incarceration shall be entitled to confidential counseling services."

(f,g,h) The Lerdo Pretrial Facility PAQ states the agency is responsible for Administrative and Criminal investigations.

The agency provided the Kern County Personal/Professional Services Agreement with Women's' Center High Desert Inc. (Rape Crisis Center) This Rape Crisis Center has two Victim Advocates based in the Kern County Jail Complex who will assist and or accompany victims of sexual abuse through the required processes.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

1. Lerdo Pretrial Facility PAQ
2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Criminal and Administrative Investigations P-600, dated 7.29.2015

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Random staff
4. Facility Investigator
5. Internal Affairs Investigators

Inmate and staff interviews demonstrated each can report incidents of sexual abuse and sexual harassment through the grievance process, verbally reporting to a staff, dialing #7777 or telling a family member. Each stated being comfortable reporting incidents of sexual harassment and assault. Staff reported separating victims and suspects and then reporting allegations of sexual abuse or sexual harassment to their Sergeant. Sergeants reported taking limited information from victims and reporting that information to the PREA Compliance Sergeants who then reports to the Agency Investigator or Internal Affairs. Agency and Internal Affairs Investigators interviewed described investigation protocols and addressing investigations as soon as possible if not immediately.

Site Review Observation:

1. Investigation (referred for criminal investigation)

There were five administrative investigations reported in the last 12 months. Of those five investigations, all were reported timely with the victim and perpetrator separated immediately following the allegation, when reported within the timeframe of the incident. Each investigation was completely thoroughly and within 30 days.

(a) The Lerdo Pretrial Facility PAQ states the agency ensures that an administrative or criminal investigations are completed for all allegations of sexual abuse and sexual harassment. In the past 12 months the facility has had 27 allegations of sexual abuse and sexual harassment that were received. In the past 12 months 7 allegations resulted in an Administrative Investigation. In the past 12 months 20 allegations were referred for criminal investigation and each has been completed.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Criminal and Administrative Investigations P-600, page 1, policy statement, "The Kern County Sheriff's Office (KCSO), as a law enforcement agency shall promptly, thoroughly, and objectively investigate all reports of inmate sexual assault, abuse, harassment, or retaliation occurring in its custodial facilities, including third-party and anonymous reports.

Investigations shall be conducted utilizing standard investigation methods in accordance with all laws. No standard higher than a preponderance of the evidence shall be used in determining whether allegations of sexual abuse or sexual harassment are substantiated in administrative investigations."

(b) The Lerdo Pretrial Facility PAQ states the agency has policy that requires allegations of sexual abuse or harassment to be referred for investigation to an agency with the legal authority to conduct criminal investigations.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Criminal and Administrative Investigations P-600, page 3, section Directive #4 Criminal and Administrative Investigations states,

- "Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, and witnesses; and shall review prior complaints and reports of sexual abuse involving the victim and suspected perpetrator(s).
- KCSO will not conduct any compelled interviews until after all criminal proceedings are completed, or the District Attorney has declined to file the complaint.
- 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 agency 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."

The agency website for publishing investigation policies is [InvestigationsBureau\\_Policies.pdf](#) ([kernsheriff.org](#)).

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Criminal and Administrative Investigations P-600, page 3, section Directive #4 Criminal and Administrative Investigations states,

"Administrative investigations:

- Shall include an effort to determine whether staff actions or failures to act contributed to the abuse or if there were policy violations; and
- 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."

(c) This provision is not applicable as the Kern County Sheriff's department is responsible for conducting criminal investigations.

<b>115.31</b>	<b>Employee training</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 432 300">Document Review:</p> <ol data-bbox="240 331 1465 972" style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, dated 3.20.2019</li> <li>3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Searches - General C-500, dated 4.8.2016</li> <li>4. Kern County Sheriff PREA training for Contractors, Volunteers and KCSO Civilian Staff, not dated</li> <li>5. PREA 2-Hour Refresher Training – KCSO's PREA Program, dated 2019-20</li> <li>6. Kern County Sheriff PREA – It's Purpose and Requirements, dated 2014-2015</li> <li>7. Kern County Sheriff PREA PowerPoint – PREA Ensuring Inmates' Rights and Changing Jail Culture, dated 2020-37</li> <li>8. Kern County Sheriff Training Bulletin – Cross Gender "PAT" Searches and Searches of Transgender or Intersex Inmates, dated 11.2.2016</li> <li>9. Kern County Sheriff Training Bulletin – PREA Refresher PREA Standard 115.31-Employee Training, dated 3.10.2021</li> <li>10. Civilian Working in the Jail Environment, Kern County Sheriff's Office, training PowerPoint, for Volunteers and Contractors, not dated</li> </ol> <p data-bbox="240 1061 352 1088">Interviews:</p> <ol data-bbox="240 1120 568 1317" style="list-style-type: none"> <li>1. Random staff</li> <li>2. Specialized staff</li> <li>3. Human Resource Specialist</li> <li>4. Training Coordinator</li> </ol> <p data-bbox="240 1406 352 1433">Interviews:</p> <p data-bbox="240 1464 1490 1554">Interviews with random staff demonstrated each were aware of and received initial and annual PREA training. Interviews with specialized staff demonstrated none have received training provided other than specialized training for medical/mental health or investigative staff.</p> <p data-bbox="240 1644 416 1671">Site Observation:</p> <p data-bbox="240 1702 1490 1765">Review of personnel files demonstrated random staff have received initial and annual training; however, specialized staff had not received training provided to random staff. (Please see standard 115.34 for corrective action efforts.)</p> <p data-bbox="240 1854 1465 2047">(a) The Lerdo Pretrial Facility PAQ states the agency trains all employees who may have contact with inmates in all required provisions of this standard. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 1, policy statement, "The Kern County Sheriff's Office (KCSO) is committed to providing a zero-tolerance environment toward all forms of sexual abuse and harassment and communicating the PREA policies to all employees, contractors, volunteers and inmates. KCSO believes that staff training and inmate education are fundamental to deterring sexual abuse and sexual harassment in all its facilities."</p> <p data-bbox="293 2136 1474 2163">Page 2, section Directive A-1: Custody Staff, states, "Male and female staff work in both male and female facilities and</p>

trainings will be tailored to both genders.”

The facility provided:

1. Kern County Sheriff PREA training for Contractors, Volunteers and KCSO Civilian Staff. A 30-page curriculum which introduces techniques for:
  - a. PREA and its goals
  - b. PREA standards, Zero-tolerance, Fraternalization policies
  - c. Sexual Harassment, Abuse and Staff Misconduct
  - d. Legal and Non-Legal Consequences
  - e. Abuse Dynamics – Vulnerability and Victimization
  - f. Your Role, Responsibility, and Prevention
  - g. Evidence Preservation, Abuse Counseling
  - h. Bottom Line
  
2. PREA 2-Hour Employee Refresher Training which speaks to Kern County Sheriff’s Office PREA Program beginning with:
  - a. Legislation
  - b. Inmate Rights
  - c. LGBTI & Q Defined
  - d. LGBTI issues
  - e. Prevention of Abuse
  - f. Detection of Abuse
  - g. Responding to Abuse
  - h. Investigating Abuse
  - i. Reporting Abuse
  - j. And miscellaneous areas such as interpreters, confidential email, gender announcements for suicidal inmates, where policies, training bulletins, forms and agency data can be located.
  
3. Kern County Sheriff PREA – It’s Purpose and Requirements which speaks to:
  - a. PREA – What it is, What are it’s Goals, What it Covers
  - b. Jail / Prison Culture
  - c. Victims, Perpetrators, and Red Flags
  - d. Consequences and Impacts
  - e. Reporting
  - f. LGBTI Proper Terms and General Definitions
  - g. Roles and Responsibilities
  - h. Evidence Preservation
  - i. Victim Advocacy and Healthcare

j. PREA Jeopardy

4. Kern County Sheriff PREA PowerPoint – PREA Ensuring Inmates' Rights and Changing Jail Culture which speaks to:

- a. Responsibilities under PREA
- b. Zero Tolerance Policy and the Right to Be Free From Sexual Violence
- c. Sexual Abuse and Misconduct
- d. Liability and Sanctions
- e. Prevalence, Dynamics, and Impact of Sexual Abuse on Survivors
- f. LGBTI Effective Communication and Changing Culture
- g. Communication with Victims
- h. Evidence Preservation
- i. Victim Advocacy and Healthcare

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 1-2, section Directive A-1: Custody Staff states, "KCSO will train all employees who may have contact with inmates on:

- KCSO's zero-tolerance policy for sexual abuse, sexual harassment and retaliation;
- How to fulfill their responsibilities regarding prevention, detection, reporting and response to sexual abuse and sexual harassment;
- Inmates' right to be free from sexual abuse and sexual harassment;
- The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- The dynamics of sexual abuse and sexual harassment in confinement;
- The common reactions of sexual abuse and sexual harassment victims;
- How to detect and respond to signs of threatened and actual sexual abuse;
- How to avoid inappropriate relationships with inmates;
- How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex or gender nonconforming inmates; and
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

The agency provided Kern County Sheriff Training Bulletin – Cross Gender "PAT" Searches and Searches of Transgender or Intersex Inmates. This bulleting speaks to:

- Definitions of Pat Down Search; Transgender and Intersex persons;
- PREA Standard 115.15 Limits to Cross-gender Viewing and Searching;
- DBPPM C-500 Searches – General Procedure A;
- DBPPM P-410 Gender Identity Committee (GIC) Directive #3;
- Directive to 'Sign In' to acknowledge reading and review of bulletin

The agency provided Civilian Working in the Jail Environment, Kern County Sheriff's Office, training PowerPoint, for

Volunteers and Contractors. This PowerPoint speaks to:

- Personal Safety
- Emergency Situations
- General Information
- Key Security
- Inmate/Staff Relations
- PREA
- Inmate Classification
- Interpersonal Communication
- Negative Verbal Communication
- Negative Non Verbal Communication
- Benefits of Effective Communication
- Security/Staff Relations
- Responding to Inmate Requests/Questions
- Consequences of Improper Supervision
- Signs of Potential Inmate Disturbances
- Intervention in Inmate Disputes
- Inmate Con Games
- Hostage Survival

(b) The Lerdo Pretrial Facility PAQ states training is tailored to the unique needs and attributes and gender of Inmates at the facility. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 2, section Directive A-1: Custody Staff states, "Male and female staff work in both male and female facilities and trainings will be tailored to both genders.

Security staff employees will be trained in how to conduct cross-gender pat-down searches during exigent circumstances and 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."

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Searches – General C-500, page 1, policy statement, "The Detentions Bureau recognizes that searches are in effective means of preventing the introduction and movement of contraband within detention facilities, which poses a threat to facility security and the safety of staff and inmates.

The Bureau also recognized that searches may necessarily intrude upon an individual's privacy. Thus, a balance is required between the need to promote facility security and safety and the need to limit the invasion of a person's interests.

To effectively promote facility security and safety in a manner that does not violate state and federal constitutional rights against unreasonable searches and privacy invasions, this policy shall be followed."

(c) The Lerdo Pretrial Facility PAQ states staff who may have contact with Inmates, were trained or retrained on the PREA

requirements annually.

Kern County Sheriff Training Bulletin – PREA Refresher PREA Standard 115.31-Employee Training, page 1, policy statement: “All Detention Bureau employees are required to receive refresher PREA training. This refresher Training Bulletin is being provided in order to ensure staff can prevent, detect, and respond to sexual abuse and sexual harassment. Staff are required to review and follow all Prison Rape Elimination Act (PREA) policies, which can be found in Chapter “P” of the Detentions Bureau Policy and Procedure Manual.”

(d) The Lerdo Pretrial Facility PAQ states the agency documents those employees who may have contact with Inmates, understand the training they have received through employee signature or electronic verification. Each training bulletin includes a directive for those training to ‘Sign In’ and acknowledge what has been read and reviewed.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

1. Lerdo Pretrial Facility PAQ
2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, dated 3.20.2019
3. Kern County Sheriff PREA training for Contractors, Volunteers, and KCSO Staff, not dated

Interviews:

1. Advocate
2. Chaplin's
3. Educator

Advocate and Chaplin volunteer staff demonstrated they had been trained on the agency zero tolerance procedures. Contract education staff stated he and his staff are trained on the agency zero tolerance policies at the beginning of each school year.

(a) The Lerdo Pretrial Facility PAQ states all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and harassment prevention, detection, and response. The number of volunteers and contractors, who may have contact with inmates, who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response is 206.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 1, policy statement, "The Kern County Sheriff's Office (KCSO) is committed to providing a zero-tolerance environment toward all forms of sexual abuse and harassment and communicating the PREA policies to all employees, contractors, volunteers and inmates. KCSO believes that staff training and inmate education are fundamental to deterring sexual abuse and sexual harassment in all its facilities."

Page 2, section Directive A-1: Custody Staff, states, "Male and female staff work in both male and female facilities and trainings will be tailored to both genders."

The facility provided:

1. Kern County Sheriff PREA training for Contractors, Volunteers and KCSO Civilian Staff. A 30-page curriculum which introduces techniques for:
  - a. PREA and its goals
  - b. PREA standards, Zero-tolerance, Fraternalization policies
  - c. Sexual Harassment, Abuse and Staff Misconduct
  - d. Legal and Non-Legal Consequences
  - e. Abuse Dynamics – Vulnerability and Victimization
  - f. Your Role, Responsibility, and Prevention
  - g. Evidence Preservation, Abuse Counseling

h. Bottom Line

(b) The Lerdo Pretrial Facility PAQ states all volunteers and contractors who have contact with Inmates have been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

(c) The Lerdo Pretrial Facility PAQ states the agency maintains documentation confirming that the volunteers and contractors understand the training they have received.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 3, section Directive A-2: Volunteer and Contractor Training states, "All KCSO volunteers and contractors who have contact with inmates will be notified of KCSO's zero-tolerance policy regarding sexual abuse and sexual harassment and will be trained how to report such incidents. KCSO will ensure that all volunteers and contractors will be trained on their responsibilities under KCSO sexual abuse and sexual harassment prevention, detection and response policies and procedures. The level and type of training provided to volunteers and contractors will be based on the services they provide and level of contact they have with inmates. The KCSO Training Section will maintain documentation confirming that volunteers and contractors understand the training they have received.:

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

1. Lerdo Pretrial Facility PAQ
2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, dated 3.20.2019
3. P-0350 PREA Intake and Screening, dated 3.10.2015
4. P-0200 Transfer Risk Reassessment, dated 06.16
5. Kern County Sheriff's Office PREA Guide of Inmate Rights and Reporting Sexual Abuse or Staff Sexual Misconduct Brochure (English and Spanish), not dated
6. Women's Center High Desert Flyer, (English and Spanish), not dated
7. Kern County Sheriff Training Bulletin, PREA Inmate Education and Automatic Email Update, dated 10.20.2021

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Random staff
4. Intake staff
5. PREA Compliance Sergeant

Interviews with the 23 random and nine targeted inmates, each reported their knowledge on PREA, reporting options to staff, third parties and or phone numbers posted on Zero-tolerance Posters throughout the facility.

Site Observation:

Of the 32 Inmate files reviewed, each demonstrated evidence of PREA education within 72 hours of intake. In regard to 30-day training, this Auditor noted that of the seven files reviewed, 30-day training was not completed, timely. The PREA Compliance Sergeant noted this issue and distributed a Training Bulletin to all staff on October 20, 2021 directing staff to complete comprehensive education to inmates within 30 days via the PREA video.

(a) The Lerdo Pretrial Facility PAQ states inmates receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. 4407, 100% of inmates admitted in the past 12 months were given information at intake.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 4, section Directive B: Inmate Education, states, "All inmates will receive education in the form of English and Spanish spoken video orientation information as well as written information about sexual abuse and harassment. This education is provided upon intake and within the first 30 days of their detainment in KCSO custody. In addition to providing such education, KCSO will ensure that key information is continuously and readily available and visible to inmates through posters, inmate handbooks, or other written, audible or video formats."

Section Directive B-1: Intake and Orientation states, "During the intake process, inmates will receive information explaining KCSO's zero- tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The information will be provided in the form of a handout printed in both English and Spanish."

The agency provided P-0350 PREA Intake and Screening. Questions on the Intake Screening includes the following question: "You have the right to be free from sexual abuse while in the Sheriff's custody. The Sheriff has a zero tolerance for sexual abuse against inmates and all reports will be investigated. To report an incident, you can dial #7777, or talk to a Deputy, or medical person."

(b) The Lerdo Pretrial Facility PAQ states within the past 12 months, 2322, 100% of inmates received age appropriate PREA education within 30 days of intake. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 4, section Directive B-2: Comprehensive Education states, "Within 30 days of intake, KCSO will provide comprehensive education to inmates in person or through video education regarding:

- The right to be free from sexual abuse and sexual harassment;
- KCSO reporting policies and procedures for responding to incidents;
- Ways to avoid sexual abuse;
- Inmate rights if sexually abused;
- The right to be free from retaliation for reporting sexual abuse or staff misconduct.

KCSO will maintain documentation of inmate participation in PREA education sessions and require inmates to sign a form stating that they have attended and understood these sessions.

(c) The Lerdo Pretrial Facility PAQ states of those who were not educated during 30 days of intake, all inmates have been educated subsequently. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 5, section Directive B: Inmate Education, states, "Inmates will receive comprehensive 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."

The agency provided a P-0200 Transfer Risk Reassessment. Questions on the Transfer Risk Reassessment includes the following question: "You have the right to be free from sexual abuse while in the Sheriff's custody. The Sheriff has a zero tolerance for sexual abuse against inmates and all reports will be investigated. To report an incident, you can dial #7777, or talk to a Deputy, or medical person."

During the on-site phase, the agency provided a Kern County Sheriff Training Bulletin, stating, "Within 30 days of intake, KCSO will provide comprehensive education to inmates in person or through video education. KCSO will maintain documentation of inmate participation in PREA education sessions and require inmates to sign a form stating that they have attended and understood these sessions."

(d) The Lerdo Pretrial Facility PAQ states Inmate PREA education is available in accessible formats for all inmates including those who are limited English proficient, deaf, visually impaired, otherwise disabled or have limited reading skills. In addition, the inmate PREA/Orientation video is available in English and Spanish and includes subtitles.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 5, section Directive B-3, states, "KCSO will 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."

Upon intake, inmate orientation information will be provided through:

- An informational educational video that is presented in both English and Spanish; and
- Staff led informational classes with printed materials.

Medical or mental health staff will help an inmate with a disability understand intake or comprehensive information if the inmates' disability or impairment prevents them from understanding such material.

The facility provided Inmate PREA Education Brochures in both English and Spanish. Brochures explain the following topic areas to inmates:

- What is sexual abuse
- If you sexually assault / abuse or harass anyone
- Inmate rights granted by PREA
- Help and healing starts by reporting abuse and misconduct
- Other reporting options and who to contact
- External contact information
- What to expect after reporting an assault or abuse
- The Sheriff's Office enforces a zero tolerance policy against sexual assault or abuse
- Sexual assault / abuse facts

(e) The Lerdo Pretrial Facility PAQ states the facility maintains documentation of inmate participation in PREA education sessions.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 4-5, section Directive B-2: Comprehensive Education states, "Within 30 days of intake, KCSO will provide comprehensive education to inmates in person or through video education regarding:

- The right to be free from sexual abuse and sexual harassment;
- KCSO reporting policies and procedures for responding to incidents;
- Ways to avoid sexual abuse;
- Inmate rights if sexually abused;
- The right to be free from retaliation for reporting sexual abuse or staff misconduct.

KCSO will maintain documentation of inmate participation in PREA education sessions and require inmates to sign a form stating that they have attended and understood these sessions.

(f) The Lerdo Pretrial Facility PAQ states the agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, inmate handbooks, or other written formats.

The facility provided a WCHD (Women's Center High Desert, Inc.) PREA flyer in both English and Spanish. The flyer states, "Women's Center High Desert, Inc. is a non-profit organization providing services for victims of Sexual Assault, and Child Abuse. The Kern County Sheriff's Office has contracted with Women's Center High Desert to provide "free confidential" counseling services to any inmate who has been the victim of sexual assault or abuse during or before their incarceration." Below the above statement is the advocate mailing address and contact information. Inmates can then fill out a request by

including the date, name, Building, Facility, and if the request is priority or non-priority. The request can then be given to a deputy or forwarded to the PREA Coordinator.

115.34	<b>Specialized training: Investigations</b>
	<p data-bbox="240 147 766 174"><b>Auditor Overall Determination:</b> Exceeds Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 435 300">Document Review:</p> <ol data-bbox="240 331 1485 685" style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, dated 3.20.2019</li> <li>3. PREA Investigator Training – PREA KCSO Detentions Seniors: Sex Crimes Investigators Training Course, dated 2.8.2018</li> <li>4. PREA Investigator Training Database Listing</li> <li>5. Kern County Sheriff's Office Memorandum from Lieutenant Alex Garcia, Kern County PREA Coordinator, RE: Corrective Action, dated 12.10.2021</li> </ol> <p data-bbox="240 775 352 801">Interviews:</p> <ol data-bbox="240 833 494 913" style="list-style-type: none"> <li>1. Facility Investigators</li> <li>2. Training Coordinator</li> </ol> <p data-bbox="240 945 1458 1039">Interviews with facility and agency investigators and the training coordinator demonstrates investigators have completed a 40-hour specialized investigator training course. Specialized staff have not been assigned annual training completed by specialized staff.</p> <p data-bbox="240 1128 1484 1223">The Agency does not assign general training provided to all employees to its investigators. In addition to the general training provided to all employees pursuant to § 115.31, the agency shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings.</p> <p data-bbox="240 1312 1493 1438">In response to the following: a memorandum was received from Lieutenant Alex Garcia, Kern County Sheriff's Office PREA Coordinator on 12.10.2021, stating the following: In compliance with your findings for the Kern County Sheriff's Office Mojave, Ridgecrest, and Pre-Trial Jail Facilities 2021 PREA audit. The listed corrections will be made to the following PREA standards on or before March 1, 2021.”</p> <p data-bbox="240 1527 1493 1688">(a) The Lerdo Pretrial Facility PAQ states the agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 3, section Directive A-43 Specialized Training for Investigators, states, “In addition to the general training provided to all employees, KCSO will ensure that staff who conduct sexual assault and abuse investigations receive training in conducting such investigations in confinement settings.</p> <p data-bbox="240 1778 874 1805">Specialized training for investigators will include techniques for:</p> <ul data-bbox="240 1836 1353 2029" style="list-style-type: none"> <li>· Interviewing sexual abuse victims;</li> <li>· Proper use of Miranda and Garrity warnings;</li> <li>· Sexual abuse evidence collection in confinement settings; and</li> <li>· The criteria and evidence required to substantiate a case for administrative action or prosecution referral.</li> </ul> <p data-bbox="240 2119 1437 2145">The agency provided PREA Investigator Training – PREA KCSO Detentions Seniors: Sex Crimes Investigators Training</p>

Course. The training course includes:

- PREA Statue 115.34
- Disclaimer
- Introduction
- Definitions
- Penal Codes
- Crime Scene and Evidence Collection
- Interviewing Techniques
- Victim Rights and Rules
- Victim Interviewing
- Suspects(s) Interviewing
- Witness(s) Interviewing
- Writing the Report
- Conclusion

(b) "Specialized training includes techniques for interviewing sexual abuse victims, Miranda and Garrity warnings, evidence collection in confinement settings and criteria and evidence required to substantiate a case for administrative action or prosecution referral.

(c) The Lerdo Pretrial Facility PAQ states the agency shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

The agency provided PREA Investigator Training Database List demonstrating 39 employees have completed Specialized PREA Investigator training.

Through such reviews the facility exceeds this standards requirement due to the required 40-hour investigator training completed by all county investigators.

115.35	<b>Specialized training: Medical and mental health care</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 331 432 358">Document Review:</p> <ol data-bbox="240 385 1481 741" style="list-style-type: none"> <li data-bbox="240 385 555 412">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 443 1465 506">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, dated 3.20.2019</li> <li data-bbox="240 533 1481 595">3. 29 completed Mental Health Professional PREA Staff Training attestations and acknowledgments, dated throughout the year 2021</li> <li data-bbox="240 622 967 649">4. Medical Staff PREA Training Records for 110 Medical Professionals</li> <li data-bbox="240 680 1465 743">5. Kern County Sheriff's Office Interoffice memorandum from Lieutenant Alex Garcia, Kern County Sheriff's Office PREA Coordinator, RE: Corrective action, dated 12.10.2021</li> </ol> <p data-bbox="240 831 352 857">Interviews:</p> <ol data-bbox="240 884 624 1032" style="list-style-type: none"> <li data-bbox="240 884 624 911">1. Clinical Unit Supervisor – Medical</li> <li data-bbox="240 943 608 969">2. Unit Supervisor – Mental Health</li> <li data-bbox="240 1001 496 1028">3. Training Coordinator</li> </ol> <p data-bbox="240 1059 1489 1189">During interviews the Medical and Mental Health Unit Supervisors, each were able to demonstrate procedural steps to follow during a sexual abuse investigation. Each could articulate how they would ensure the inmate understood the processes, how to notify the proper authorities, the SANE/SAFE hospital being used and that each occurrence would be documented in the agency database used by medical and mental health staff.</p> <p data-bbox="240 1274 416 1301">Site Observation:</p> <p data-bbox="240 1332 1497 1462">During file review of the medical and mental health staff training records, each had completed specialized medical and mental health training. Specialized staff have not been assigned annual PREA training completed by random staff. Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.31 or for contractors and volunteers under § 115.32, depending upon the practitioner's status at the agency</p> <p data-bbox="240 1547 1497 1677">In response to the following: a memorandum was received from Lieutenant Alex Garcia, Kern County Sheriff's Office PREA Coordinator on 12.10.2021, stating the following: In compliance with your findings for the Kern County Sheriff's Office Mojave, Ridgecrest, and Pre-Trial Jail Facilities 2021 PREA audit. The listed corrections will be made to the following PREA standards on or before March 1, 2021."</p> <p data-bbox="240 1762 1417 1825">(a) The Lerdo Pretrial Facility PAQ states the agency has a policy related to the training of medical and mental health practitioners who work regularly in its facilities. 139 employees, 100%, have completed specialized training.</p> <p data-bbox="240 1910 1489 2004">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 3-4, section Directive A-4: Specialized Training for Medical and Mental Health Professionals, states, "KCSO will ensure that all medical and mental health care practitioners who work regularly in its facility have been trained in:</p> <ul data-bbox="240 2031 1034 2121" style="list-style-type: none"> <li data-bbox="240 2031 1034 2063">· How to detect and assess signs of sexual abuse and sexual harassment;</li> <li data-bbox="240 2089 823 2121">· How to preserve physical evidence of sexual abuse;</li> </ul>

- How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
- How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.”

(b) The Lerdo Pretrial Facility PAQ states their medical staff do not conduct forensic medical exams. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 4, section Directive A-4: Specialized Training for Medical and Mental Health Professionals, states, "KCSO contracted medical staff do not perform forensic examinations, therefore they shall consult with sexual assault investigators and hospital Sexual Assault Nurse Examiners (SANE's) regarding the need for forensic examinations."

(c) The Lerdo Pretrial Facility PAQ states the Kern County Sheriff's Office Detentions Bureau showing that medical and mental health practitioners have completed the required training. The facility provided 29 completed Mental Health Professional PREA Staff Training attestations and acknowledgments during the year 2021. The facility also provided Medical Staff PREA Training Records for 110 Medical Professionals.

(d) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Employee Training and Inmate Education P-300, page 1, section Procedure A: Employee Training, states, "KCSO shall provide its staff training on sexual abuse and sexual harassment through classroom training upon hiring and periodic refresher courses. All trainings shall be provided in a format based upon the level of contact with inmates and the training requirements stipulated by the PREA Standards."

115.41	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, dated 3.20.2019</li> <li>3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Intake and Screening P-350, dated 4.22.2015</li> <li>4. P-0350 PREA Intake and Screening – PREA Holding Cell Risk Questions, dated 3.10.2015</li> <li>5. Classification Unit Responsibility K-200, dated 7.28.2014</li> <li>6. PREA Booking Questions – (via computer)</li> <li>7. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Classification Reviews K-500, dated 5.19.2016</li> <li>8. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Classification Criteria K-300, dated 12.30.2016</li> <li>9. Kern County Sheriff's Office Memorandum was received from Lieutenant Alex Garcia, Kern County Sheriff's Office PREA Coordinator, RE: Corrective Action, dated 12.10.2021,</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Intake staff</li> <li>2. Random inmates</li> <li>3. Targeted inmates</li> </ol> <p>Interviews with intake staff demonstrated that risk assessments are completed with each inmate within upon intake. However, the intake risk assessment does not include a differentiation between crimes committed against adults or children. Interviews with inmates demonstrated most remembered being asked the questions on the facility risk assessment.</p> <p>In response to the following: a memorandum was received from Lieutenant Alex Garcia, Kern County Sheriff's Office PREA Coordinator on 12.10.2021, stating the following: In compliance with your findings for the Kern County Sheriff's Office Mojave, Ridgecrest, and Pre-Trial Jail Facilities 2021 PREA audit. The listed corrections will be made to the following PREA standards on or before March 1, 2021."</p> <p>Site Observation:</p> <p>During review of 32 inmate files, this Auditor noted each inmate had received screening within 72 hours of admission, primarily on the day of admission. Of the 32 files reviewed, all but one inmate was reassessed within 30 days of admission; however, inmates involved in an allegation of sexual harassment or abuse were reassessed and housed properly thereafter.</p> <p>(a) The Lerdo Pretrial Facility PAQ states the facility has a policy that requires screening, upon admission or transfer, for risk of sexual abuse victimization or sexual abusiveness toward other inmates.</p> <p>Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, page 4, section Directive #6: Screening and Classification of Inmates, states, "KCSO follows a PREA risk screening and classification protocol, using an objective screening instrument. KCSO uses information from the risk screening to determine housing, bed, work, education and program assignments with the goal of keeping separate those inmates at high risk of</p>

being sexually victimized from those at high risk of being sexually abusive. KCSO makes individualized determinations about how to ensure the safety of each inmate. Inmates believed to be at risk of victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made that there is no available alternative means of separation from likely abusers.”

Kern County Sheriff’s Office Detentions Bureau Policies and Procedures: PREA Intake and Screening, page 1, policy statement, states, “The Kern County Sheriff’s Office (KCSO) shall conduct a thorough PREA intake and screening process of each inmate received at its jail facilities to determine any medical or mental health needs, and to inform classification staff of pertinent information for use in making appropriate housing assignments. In addition to the CJIS medical and hazard booking screens, PREA Holding cell risk questions will be asked by receiving staff in order to identify potential risks of harm, sexual victimization, or potential sexual abusers prior to placement in a general population holding cell. A CJIS PREA screening process for all inmates will be conducted to provide classification staff with information about an inmates’ sexual orientation, gender identity, past sexual victimization, past sexual abuse acts perpetrated, and the inmates, own perception of sexual abuse vulnerability, enabling them to make informed housing decisions in the best interest of the inmate and facility operations.”

Kern County Sheriff’s Office Detentions Bureau Policies and Procedures: Classification Unit Responsibility K-200, page 1, section Classification Deputies will, states, “Review classification of inmates identified as being PREA at risk or abusive (based on information obtained during initial intake PREA screening, initial classification, or the result of in-custody incidents) prior to transfer between facilities.”

The agency provided a P-0350 PREA Intake and Screening – PREA Holding Cell Risk Questions. The PREA Holding Cell Risk Questions explains the document is necessary as a requirement of PREA standard 115.41 and asks the inmates response to questions regarding orientation, identity, mental health, disabilities, past sexual abuse or perpetration, understanding of the questions asked, and understanding of PREA and the training received.

(b) The Lerdo Pretrial Facility PAQ states the number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 72 hours or more) who were screened for risk of sexual victimization or risk of sexually abusing other inmates with 72 hours of their entry into the facility was 3807, 100% of intakes. The Lerdo Pretrial Facility PAQ states the facility conducts risk assessments by using an objective screening instrument.

Kern County Sheriff’s Office Detentions Bureau Policies and Procedures: PREA Intake and Screening, page 4-5, section Procedure C: Classification Review, states, “Classification staff will:

- Review all booking screens of inmates required to remain in custody for assignment of appropriate housing in accordance with K-300, Classification criteria and K-400, Administrative segregation and Federal PREA standards; o with the goal of keeping separate those inmates identified as at risk of being sexually victimized from those inmates that may perpetrate sexual abuse.
- Conduct in-person interviews of any inmate whose booking or screening information requires additional information and/or clarification.”

(c-e) The Lerdo Pretrial Facility PAQ states the risk assessment is conducted using an objective screening instrument. Policy requirements for this provision is discussed in provision (a) of this standard.

The agency provided PREA Booking Questions which are asked electronically (via computer). The 11 questions asked to consist of the following:

1. Have you previously been incarcerated?
2. Have you ever been in prison?
3. Are you Transgender? Intersex? Bisexual? Gay? Lesbian?

4. Do other people think you are Transgender? Bisexual? Gay? Lesbian? Why?
5. Have you ever been sexually victimized? When?
6. Do you feel that you may be at risk for sexual victimization? Why?
7. Have you been convicted of committing an act of sexual abuse/assault? Physical abuse? Or Domestic Violence?
8. Have you ever engaged in consensual sex in custody? Past five years?
9. Have you ever engaged in non-consensual sex in custody?
10. Detained solely for immigration purposes?
11. Does prisoner appear to be gender non-conforming?

(e) The Lerdo Pretrial Facility PAQ states the policy requires that the facility reassess each inmate's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening. The number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 30 days or more) who were reassessed for their risk of sexual victimization or of being sexually abusive with 30 days after their arrival at the facility based upon any additional relevant information received since intake was 2322, 100% of inmates having a relevant need.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Classification Reviews K-500, page 3, section Directive B-2: PREA at risk Classification Review, states, "Inmates determined to be "at risk" of sexual abuse will be interviewed within 30 days in custody to determine if any unknown information exists that should be considered during the review process."

(f) The Lerdo Pretrial Facility PAQ states the policy requires that an inmate's risk level 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.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Classification Reviews K-500, page 4, section Directive B-2: PREA at risk Classification Review, states, "Reassess an inmate's risk for sexual victimization or abusiveness when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness."

(g) The Lerdo Pretrial Facility PAQ states the policy prohibits disciplining inmates for refusing to answer (or for not disclosing complete information related to) questions regarding: (a) whether or not the inmate has a mental, physical, or developmental disability; (b) whether or not the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; (c) whether or not the inmate has previously experienced sexual victimization; and (d) the inmate's own perception of vulnerability.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Classification Criteria K-300, page 3, section Directive #3, states, "Inmates will not be disciplined for refusing to answer, or for not disclosing complete information in response to questions asked pursuant to the PREA screening at intake."

(h) The facility has colored bands worn by inmates on their wrist for identification and classification purposes. Classification does not indicate PREA risk assessment outcomes.

115.42	<b>Use of screening information</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 432 300">Document Review:</p> <ol data-bbox="240 331 1474 685" style="list-style-type: none"> <li data-bbox="240 331 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 389 1453 448">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Inmate Classification General Policy K-100, dated 7.29.2014</li> <li data-bbox="240 479 715 506">3. PREA Booking Questions – (via computer)</li> <li data-bbox="240 537 1426 595">4. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Gender Identity Committee P-410, dated 9.30.2014</li> <li data-bbox="240 627 1474 685">5. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, dated 3.20.2019</li> </ol> <p data-bbox="240 716 352 743">Interviews:</p> <ol data-bbox="240 775 464 972" style="list-style-type: none"> <li data-bbox="240 775 464 801">1. Targeted Inmates</li> <li data-bbox="240 833 459 860">2. Random Inmates</li> <li data-bbox="240 891 459 918">3. Supervisory staff</li> <li data-bbox="240 949 405 976">4. Intake Staff</li> </ol> <p data-bbox="240 1008 1474 1133">Interviews with intake and supervisory staff demonstrated inmate risk level is communicated to Sergeants. Sergeants interviewed stated vulnerable and aggressive inmates are housed on opposite sides of the facility. Targeted and random inmates speak to the intake process being respectable. Targeted inmates and Intake staff state upon admission, same sex staff search same sex inmates.</p> <p data-bbox="240 1223 416 1249">Site Observation:</p> <p data-bbox="240 1281 1474 1339">During review of 32 Inmate files, this Auditor noted each inmate had received screening on the day of admission and again within 30 days of admission.</p> <p data-bbox="240 1429 1474 1518">(a) The Lerdo Pretrial Facility PAQ states the facility uses 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.</p> <p data-bbox="240 1608 1474 1769">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Inmate Classification General Policy K-100, page 1, policy statement, states, "Classification staff shall use information obtained during the PREA screening process to make individualized determinations about how to ensure the safety of each inmate, and to make or recommend 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."</p> <p data-bbox="240 1859 1474 1917">(b) The Lerdo Pretrial Facility PAQ states the agency/facility makes individualized determinations about how to ensure the safety of each inmate.</p> <p data-bbox="240 2007 1474 2132">(c) The Lerdo Pretrial Facility PAQ states the agency/facility makes housing and program assignments for transgender, or intersex inmates in the facility on a case-by-case bases. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Gender Identity Committee P-410, page 3, section Procedure A: Screening and housing of transgender or intersex inmates, states, "When determining housing for transgender or intersex inmates, The GIC will:</p>

- Make a case-by-case decision whether to assign a transgender or intersex inmate to a housing unit for male or female inmates.

- Ensure the inmate's health and safety and give serious consideration to the inmate's views with respect to his or her own safety."

(d) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Gender Identity Committee P-410, page 4, section Procedure A: Screening and housing of transgender or intersex inmates, states, "Reassess housing and programming assignments for each transgender or intersex inmate at least twice each year to review any threats to safety experienced by the inmate."

(e) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Gender Identity Committee P-410, page 3, section Procedure A: Screening and housing of transgender or intersex inmates, states, "When determining housing for transgender or intersex inmates, The GIC will:

- Ensure the inmate's health and safety and give serious consideration to the inmate's views with respect to his or her own safety."

(f) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 33, section 115.42(f) states, "Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates."

(g) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, page 6, section Directive #12: Cross-Gender Viewing states, "Inmates will be able 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."

Page 4, section Directive #7, Screening and Classification of Inmates, states, "KCSO makes individualized determinations about how to ensure the safety of each inmate. Inmates believed to be at risk of victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made that there is no available alternative means of separation from likely abusers."

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

1. Lerdo Pretrial Facility
2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Administrative Segregation K-400, dated 3.6.2018

Interviews:

1. Targeted Inmates
2. Random Inmates
3. Random staff
4. Supervisory staff
5. Intake Staff

Interviews with intake and supervisory staff demonstrated inmate risk level is communicated to supervisory, medical and mental health staff. Vulnerable and aggressive inmates are housed on opposite sides of the facility. Through interviews this Auditor learned placement of inmates in seclusion is typically done only as a result of an allegation, for as long as necessary. A targeted inmate reported she had been isolated for five days and a classification review would be taking place the day after the on-site phase of the audit. The targeted inmate spoke to being allowed to normalized programming as all other inmates within her pod.

Site Observation:

During review of 32 inmate files, this Auditor noted each Inmate had received screening on the day of admission.

(a) The Lerdo Pretrial Facility PAQ the agency has a policy prohibiting the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless and an assessment of all available alternatives has been made and a determination has been made that there is not available alternative means of separation from likely abusers. In the past 12 months there have been zero inmates held in involuntary segregated housing.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Administrative Segregation K-400, page 2, section Procedure G: Administrative Segregation of PREA at Risk Inmates, states, "When an inmate is administratively segregated at intake due to risk of sexual abuse, a classification deputy shall:

· Conduct a complete assessment of the inmate within 24 hours of placement to ensure administrative segregation is necessary and that the inmate is housed in the least restrictive housing available."

(b) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Administrative Segregation K-400, page 2, section Procedure G: Administrative Segregation of PREA at Risk Inmates, states, "To the extent possible, inmates administratively segregated for this purpose shall have access to: Program, Privileges, Education and Work opportunities."

(c) The Lerdo Pretrial Facility PAQ states the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing in the past 12 months, for longer than 30 days while awaiting alternative placement was zero.

(d) The Lerdo Pretrial Facility PAQ states from a review of case files of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facilities concerns for the inmate's safety, and (b) the reason or reason why alternative means of separation could not be arranged was zero.

(e) The Lerdo Pretrial Facility PAQ states if an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Administrative Segregation K-400, page 2, section Procedure G: Administrative Segregation of PREA at Risk Inmates, states, "When an inmate is administratively segregated at intake due to risk of sexual abuse, a classification deputy shall: Ensure that the inmate does not exceed 30 consecutive days of administrative segregation without documentation of the concern for the inmate's safety, including articulation of why no alternative means of separation from abusers can be arranged."

115.51	<b>Inmate reporting</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 435 300">Document Review:</p> <ol data-bbox="240 331 1425 685" style="list-style-type: none"> <li data-bbox="240 331 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 389 1398 448">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, dated 7.24.2015</li> <li data-bbox="240 479 1398 537">3. Bakersfield Police Department Training Bulletin: Prison Rape Elimination Act: Outside Agency Reporting, dated 1.30.2014</li> <li data-bbox="240 568 1043 595">4. Women's Center High Desert PREA Flyer, (English and Spanish), not dated</li> <li data-bbox="240 627 1425 685">5. Inmate Education Brochures (English and Spanish) titled, "A Prison Rape Elimination Act (PREA) Guide of Inmate Rights and Reporting Sexual Abuse or Staff Sexual Misconduct", not dated</li> </ol> <p data-bbox="240 775 352 801">Interviews:</p> <ol data-bbox="240 833 464 972" style="list-style-type: none"> <li data-bbox="240 833 424 860">1. Random staff</li> <li data-bbox="240 891 459 918">2. Random Inmates</li> <li data-bbox="240 949 464 976">3. Targeted Inmates</li> </ol> <p data-bbox="240 1008 1485 1133">Staff and inmates were comfortable reporting verbally to any staff. As reported, inmates demonstrated being comfortable talking with the PREA Compliance Sergeant. In addition, each inmate interviewed stated he or she would report to staff verbally and or through the numbers posted in the units. PREA posters with internal, external and advocate information were posted in each pod of each unit and throughout highly trafficked areas of the facility.</p> <p data-bbox="240 1223 1417 1312">Each of the five allegations of sexual harassment and or sexual abuse were reviewed during the on-site phase. Of the inmates remaining at the facility who reported sexual harassment and or abuse allegations believed the facility acted promptly and were notified of the outcome of the investigation.</p> <p data-bbox="240 1402 427 1429">Site Observations:</p> <p data-bbox="240 1460 1453 1518">During the tour this Auditor used inmate phones to test and demonstrate the internal system for reporting, through inmate phones was in place.</p> <p data-bbox="240 1608 1437 1666">(a) The Lerdo Pretrial Facility PAQ states the agency has established procedures allowing for multiple internal ways for Inmates to report privately to agency officials about sexual harassment, abuse, retaliation and or any type of neglect.</p> <p data-bbox="240 1756 1485 1917">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 1 policy statement states, "In accordance with the Prison Rape Elimination Act (PREA) standards, inmates shall be provided multiple avenues, internally and externally, for reporting sexual assault/abuse. Anonymous and third party verbal or written reports of sexual assault/abuse shall be accepted by staff from any person on an inmate's behalf. Reports of assault/abuse occurring outside of KCSO facilities shall be referred to the appropriate custodial facility or law enforcement agency.</p> <p data-bbox="240 2007 1473 2096">All staff receiving any direct or third party report of a sexual assault, sexual abuse, sexual harassment, or retaliation for reporting sexual abuse or cooperating in a sexual abuse investigation shall follow the response protocol outlined in DBPPM P-500."</p>

The agency provided a Bakersfield Police Department Training Bulletin: Prison Rape Elimination Act: Outside Agency Reporting. This bulletin states the victim will be provided with the non-emergency telephone number to the Bakersfield Police Department Communications Center. When it is determined that a sexual assault occurred within a Kern County Sheriff's Office facility, the call-taker will transfer the reporting party to Kern County Sheriff's Office Communication Center at 661.861.3110.

On October 11, 2021, at 11:05 am, this Auditor phoned 661.861.3110. The call was answered by the Bakersfield Police Department, Operator #2094. Upon the Auditor explaining the reason for the call, she stated she would transfer Third Party Reports to the Communication Supervisor. The Auditor then asked to be transferred to the Communications Supervisor. The Auditor was immediately transferred to the Communication Supervisor and asked what she would do if she received a Third Party Report. The Communication Supervisor stated she would take the necessary information and depending on the information received she would transfer the call or contact the facility in question.

The agency provided a WCHD (Women's Center High Desert, Inc.) PREA flyer in both English and Spanish. The flyer states, "Women's Center High Desert, Inc. is a non-profit organization providing services for victims of Sexual Assault, and Child Abuse. The Kern County Sheriff's Office has contracted with Women's Center High Desert to provide "free confidential" counseling services to a

The agency provided P-0350 PREA Intake and Screening. Questions on the Intake Screening includes the following question: "You have the right to be free from sexual abuse while in the Sheriff's custody. The Sheriff has a zero tolerance for sexual abuse against inmates and all reports will be investigated. To report an incident, you can dial #7777, or talk to a Deputy, or medical person." Any inmate who has been the victim of sexual assault or abuse during or before their incarceration." Below the above statement is the advocate mailing address and contact information. Inmates can then fill out a request by including the date, name, Building, Facility, and if the request is priority or non-priority. The request can then be given to a deputy or forwarded to the PREA Coordinator.

(b) The Lerdo Pretrial Facility PAQ states facility 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 agency. The agency does not have a policy requiring inmates detained solely for civil immigration purposes be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 3, section Directive #4 Inmate Reporting Methods, states, "Inmates may report abuse or suspicions externally by:

- Telling their family or attorney
- Mailing a grievance or personnel complaint directly to the Sheriff
- Calling the free reporting hotline (BDP monitored).

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 4, section Directive #5 Inmate reporting and counseling hotlines, states, "Inmate Hotline numbers will be posted throughout the facilities to allow inmates to report sexual assault/abuse, harassment or retaliation, and to request confidential counseling related to past or current sexual assaults, abuse, harassment or retaliation.

- Hotline is accessible from any inmate phone by dialing #7732
- Hotline is for inmates to report sexual assaults, abuse, harassment, or retaliation.
- Hotline will forward the caller to the Bakersfield Police Department (BPD)
- BPD will accept the report and notify KCSO's Communications Center
- Communications Center shall notify the PREA Coordinator
- The PREA Coordinator will make notification to the appropriate section manager.

(c) The Lerdo Pretrial Facility PAQ states the agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously and from third parties. The agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously and from third parties.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 1, policy statement, states, "The Kern County Sheriff's Office (KCSO) takes all reports of sexual assault/abuse, sexual harassment, or retaliation against inmates or staff for reporting seriously. KCSO has developed defined reporting mechanisms to ensure a timely response to allegations."

(d) The Lerdo Pretrial Facility PAQ states the agency has established procedures for staff to privately report sexual abuse and sexual harassment of inmates. Staff are informed of these procedures in the following ways. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 2, section Directive #1: Staff Responsibilities, states, "Staff shall report staff misconduct through a confidential email to their immediate supervisor or section manager if the abuse involves their supervisor. Staff may also privately report directly to the PREA Coordinator or Internal Affairs Unit."

115.52	<b>Exhaustion of administrative remedies</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 435 300">Document Review:</p> <ol data-bbox="240 327 1469 685" style="list-style-type: none"> <li data-bbox="240 327 555 353">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 385 1433 412">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Inmate Grievance I-200, dated 8.25.2015</li> <li data-bbox="240 443 1398 506">3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, dated 7.24.2015</li> <li data-bbox="240 537 1469 600">4. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Criminal and Administrative Investigations P-600, dated 7.29.2015</li> <li data-bbox="240 631 1469 685">5. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, dated 6.4.2015</li> </ol> <p data-bbox="240 716 352 743">Interviews:</p> <ol data-bbox="240 770 475 913" style="list-style-type: none"> <li data-bbox="240 770 459 797">1. Random Inmates</li> <li data-bbox="240 828 464 855">2. Targeted Inmates</li> <li data-bbox="240 887 475 913">3. PREA Coordinator</li> </ol> <p data-bbox="240 945 1489 1008">Inmates interviewed were aware of the grievance procedures and understood they could complete a grievance. In the last 12 months there were zero grievances files for sexual harassment or sexual abuse.</p> <p data-bbox="240 1093 416 1120">Site Observation:</p> <p data-bbox="240 1151 1158 1178">Inmates were able to file a grievance; however, inmates preferred verbally reporting to staff.</p> <p data-bbox="240 1263 1453 1326">(a) The Lerdo Pretrial Facility PAQ states the Kern County Sheriff's Office Detentions Bureau states the agency has an administrative procedure for dealing with Inmate grievances regarding sexual abuse.</p> <p data-bbox="240 1411 1497 1541">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Inmate Grievance I-200, page 2, section Directive #4, states, "Grievances involving sexual abuse, sexual harassment or staff sexual misconduct will be referred for investigation and/or criminal complaint as appropriate. supervisor will notify the PREA Coordinator and the appropriate Section Manager of any such grievances received."</p> <p data-bbox="240 1626 1473 1688">(b) Agency policy does not require an inmate to use an informal grievance process, or otherwise to attempt to resolve with staff, an alleged incident of sexual abuse.</p> <p data-bbox="240 1774 1485 1872">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Inmate Grievance I-200, page 2, section Directive #A-4, states, "Additionally, if the grievance involves allegations of sexual abuse, or harassment follow the protocol outlined in DBPPM P-500. Notify the PREA Coordinator and the appropriate Section Manager of any such grievances received.</p> <p data-bbox="240 1957 1485 2020">If the grievance was submitted more than 10 days after the incident in question, the supervisor will determine if there is good cause for the grievance to be late;</p> <p data-bbox="240 2047 1382 2110">· If there is good cause for the grievance to be late, the supervisor will forward it to the compliance section for processing by placing it in the facility grievance box</p>

- If there is no good cause for the grievance to be late, the supervisor may respond to the grievance (as detailed in Procedure B of this section) by indicating that it was submitted late and will not be acted upon. The supervisor will place the grievance and their response in the facility grievance box.

\*Note – The 10 day rule does not apply to grievances alleging staff misconduct – all such grievances must be processed.\*

(c) The Lerdo Pretrial Facility PAQ states the agency's policy and procedure allows an inmate to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. The agency's policy and procedure require that an inmate grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Inmate Grievance I-200, page 4, section Directive #A-4, states, "If the grievance involves staff misconduct, as defined in Department Policy Section D-300, forward the grievance to the appropriate section manager."

Page 5, section Directive B-1, states, "Staff will not be assigned to respond to a grievance in which they are subject named in the grievance."

(d) The Lerdo Pretrial Facility PAQ states the Kern County Sheriff's Office Detentions Bureau states the agency's policy and procedures that require a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. In the past 12 months:

- There have been four grievances filed alleging sexual abuse.
- Three cases where the agency requested an extension of the 90-day period to respond to a grievance.
- Zero grievances alleging sexual abuse that involved extensions because final decision was not reached within 90 days.

The agency always notifies an inmate in writing when the agency files for an extension, including notice of the date by which a decision will be made.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Inmate Grievance I-200, page 4, section Directive #B-1, states, "The staff member responsible for responding to the grievance will:

- Using the "Answer to Inmate Grievance" form (attachment A), respond to the grievance in writing as soon as practical, but no later than the response due date stamped on the inmate grievance;
- If the response due date has already passed, indicate the reason for the delay in the narrative of the response;
- Ensure that the response form is delivered to the inmate."

(e) The Lerdo Pretrial Facility PAQ states agency policy and procedure permit third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of inmates. Agency policy and procedure requires that if an inmate declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the inmate's decision to decline. The number of grievances alleging sexual abuse filed by inmates in the past 12 months in which the inmate declined third-party assistance, containing documentation of the inmate's decision to decline was zero.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 3, section Directive #4: Inmate Reporting Methods, states, "Any third party person may assist an inmate with writing, or directly filing on an inmate's behalf a request for administrative remedy related to allegations of sexual assault/abuse provided that;

- The inmate approves of any third party administrative remedy request filed on their behalf;
- The inmate agrees to participate in the administrative remedy process.

An inmate's refusal to participate in administrative remedy shall be documented in CJIS using code 4050.

(f) The Lerdo Pretrial Facility PAQ states the facility has a policy and established procedures for filing an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse. The facilities policy and procedures for emergency grievances alleging substantial risk of imminent sexual abuse require an initial response within 48 hours. The facilities policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse require that a final agency decision be issued within 5 days. No grievances were received alleging substantial risk of imminent sexual abuse, that were filed in the past 12 months, reached final decisions within five days.

Kern County Sheriff's Office PREA Manger stated all grievances alleging sexual abuse are immediately investigated as a possible crime.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Criminal and Administrative Investigations P-600, page 1, policy statement, "The Kern County Sheriff's Office (KCSO), as a law enforcement agency shall promptly, thoroughly, and objectively investigate all reports of inmate sexual assault, abuse, harassment, or retaliation occurring in its custodial facilities, including third-party and anonymous reports."

(g) The Lerdo Pretrial Facility PAQ states the facility has a written policy that limits its ability to discipline an inmate for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the inmate filed the grievance in bad faith. In the past 12 months, there have been zero grievances alleging sexual abuse to occasions where the agency demonstrated that the Inmate filed the grievance in bad faith.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 4, section Procedure D: Inmate Discipline, 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 false reporting or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

115.53	<b>Inmate access to outside confidential support services</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-5650, dated 6.4.2015</li> <li>3. Kern County Sheriff's Office PREA Guide of Inmate Rights and Reporting Sexual Abuse or Staff Sexual Misconduct Brochure (English and Spanish), not dated</li> <li>4. Women's Center High Desert Flyer, (English and Spanish), not dated</li> <li>5. FY 2020 WCHD Exhibit B PPSA 6-18-20 Business Associate Agreement</li> <li>6. WCHD Executed PPSA 6-18-20, Kern County Personal/Professional Services Agreement, dated 6.18.2020</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Random Inmates</li> <li>2. Targeted Inmates</li> <li>3. Random staff</li> </ol> <p>Staff and inmates interviewed informally and formally were aware of the outside advocate. PREA postings were posted throughout each unit and in highly trafficked areas of the facility.</p> <p>Site Observation:</p> <p>Two advocates from the High Desert Women's Center office at the facility. Inmates spoke highly of the advocates and consistent services. During interviews with inmates, three disclosed to the Auditor who had not previously disclosed with the facility. Upon the Auditor arriving at the facility the following day, each inmate who disclosed, had been seen by an Advocate due to the PREA Compliance Sargent reporting to the onsite advocates.</p> <p>(a) The Lerdo Pretrial Facility PAQ states the facility provides Inmates with access to outside victim advocates for emotional support services related to sexual abuse by:</p> <ul style="list-style-type: none"> <li>· Giving inmates (by providing, posting, or otherwise making accessible) mailing addresses and telephone numbers (including toll-free hotline numbers where available) of local, State, or national victim advocacy or rape crisis organizations.</li> <li>· Giving inmates mailing addresses and telephone number (including toll-free hotline numbers where available) for immigrant services agencies for persons detained solely for civil immigration purposes; and</li> <li>· Enables reasonable communication between Inmates and these organizations, in as confidential manner as possible.</li> </ul> <p>Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Plan P-550, page 6, section Procedure D: Victim Advocacy and ongoing support, states, "KCSO contracts with a provider of professional rape crisis advocate counseling services for inmates sexually abused or assaulted during incarceration.</p> <p>Per KCSO's victim advocate agreement, the victim advocate shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals, as requested by the victim.</p>

KCSO shall provide inmates with access to outside victim advocates for ongoing emotional support services related to sexual abuse by giving inmates access to a rape crisis counseling line. In addition, inmates shall be provided addresses of victim advocate providers and, for persons detained solely for civil immigration purposes, designated immigrant services agencies in Kern County.

Under KCSO's victim services MOU, inmates who report sexual abuse or assault prior to incarceration shall be entitled to confidential counseling services."

The agency provided Kern County Sheriff's Office PREA Guide of Inmate Rights and Reporting Sexual Abuse or Staff Sexual Misconduct Brochure (English and Spanish), and a Women's Center High Desert Flyer, (English and Spanish). Each document is inclusive of the required considerations of this standard and have been explained in detail in standard 115.33.

(b) The Lerdo Pretrial Facility PAQ states the facility informs inmates, prior to giving them access to outside support services, the extent to which such communications will be monitored. The facility informs inmates, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply for disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant Federal, State, or local law.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Plan P-550, page 7, section Procedure D Victim Advocacy and ongoing support states, "KCSO shall enable reasonable communication between inmates and community based services, in as confidential a manner as possible. KCSO will 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."

(c) The Lerdo Pretrial Facility PAQ states the facility maintains memoranda of understanding with community service providers that are able to provide inmates with emotional support services related to sexual abuse.

The agency provided FY 2020 WCHD Exhibit B PPSA 6-18-20 Business Associate Agreement which speaks specifically to the agreement of services between the County of Kern and the Women's Center High Desert.

The agency provided the WCHD Executed PPSA 6-18-20, Kern County Personal/Professional Services Agreement which speaks specifically to the agreement of services between the County of Kern and the Women's Center High Desert. The facility provided a WCHD (Women's Center High Desert, Inc.) PREA flyer in both English and Spanish. The flyer states, "Women's Center High Desert, Inc. is a non-profit organization providing services for victims of Sexual Assault, and Child Abuse. The Kern County Sheriff's Office has contracted with Women's Center High Desert to provide "free confidential" counseling services to any inmate who has been the victim of sexual assault or abuse during or before their incarceration." Below the above statement is the advocate mailing address and contact information. Inmates can then fill out a request by including the date, name, Building, Facility, and if the request is priority or non-priority. The request can then be given to a deputy or forwarded to the PREA Coordinator.

The facility provided the Kern County Personal/Professional Services Agreement with Women's' Center High Desert Inc. (Rape Crisis Center) at 134 S. China Lake Blvd, Ridgecrest, CA 93555. On 10.9.2021 the Auditor phoned 760.371.1969 and received a message stating the Center was open Monday through Friday, 8:00 am to 5:00 pm, if the call was an emergency to dial 760.375.0745. Upon calling the emergency number, the call was answered by an answering service. The answering service operator took the Auditor's name and contact number and stating she would forward the message to an on-call staff. Within one minute of speaking with the answering service a call back was received. The Auditor explained to the caller the purpose of verifying the Women's Center's knowledge and involvement with the Lerdo Pretrial Facility. The caller, Austin H. stated he was aware of the facility and went on to explain the Center had trained volunteers for after hour calls and trained certified employees during work hours to take calls from the facility. The caller stated depending on the need of the inmate,

he would either talk with him/her and if further help was needed, he would contact the dedicated staff for PREA calls, who he had contact information for and had access to contact at any time.

Through such reviews, the facility exceeds this standards requirement as the facility provides office space for two full time external advocates on the premises.

115.54	<b>Third-party reporting</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 432 300">Document Review:</p> <ol data-bbox="242 327 1484 412" style="list-style-type: none"> <li data-bbox="242 327 555 356">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="242 383 1484 412">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, dated 7.24.15</li> </ol> <p data-bbox="242 445 352 474">Interviews:</p> <ol data-bbox="242 501 464 698" style="list-style-type: none"> <li data-bbox="242 501 459 530">1. Random Inmates</li> <li data-bbox="242 557 464 586">2. Targeted Inmates</li> <li data-bbox="242 613 424 642">3. Random staff</li> <li data-bbox="242 669 459 698">4. Supervisory staff</li> </ol> <p data-bbox="242 786 1425 846">Inmates and staff interviewed demonstrated their reporting knowledge of third-party reporting stating that inmate family members, friends and or legal counsel could report sexual harassment or sexual abuse allegations.</p> <p data-bbox="242 934 416 963">Site Observation:</p> <p data-bbox="242 990 1481 1050">During tours of visitation areas PREA Zero-tolerance flyers were present. Flyers included contact information and instruction for third party reports.</p> <p data-bbox="242 1137 1449 1301">(a) The Lerdo Pretrial Facility PAQ states the facility provides a method to receive third-party reports of inmate sexual abuse or sexual harassment. The agency publicly distributes information on how to report Inmate sexual abuse or sexual harassment on behalf of Inmates. "Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 3, section Directive #4: Inmate Reporting Methods, states, "Inmates may report abuse or suspicions externally by:</p> <ul data-bbox="242 1330 930 1473" style="list-style-type: none"> <li data-bbox="242 1330 584 1359">· Telling their family or attorney</li> <li data-bbox="242 1388 930 1417">· Mailing a grievance or personnel complaint directly to the Sheriff</li> <li data-bbox="242 1447 794 1476">· Calling the free reporting hotline (BDP monitored)."</li> </ul> <p data-bbox="242 1561 1366 1621">Any third party person may assist an inmate with writing, or directly filing on an inmate's behalf a request for administrative remedy related to allegations of sexual assault/abuse provided that;</p> <ul data-bbox="242 1650 1203 1736" style="list-style-type: none"> <li data-bbox="242 1650 1203 1680">· The inmate approves of any third party administrative remedy request filed on their behalf;</li> <li data-bbox="242 1709 1007 1738">· The inmate agrees to participate in the administrative remedy process.</li> </ul> <p data-bbox="242 1823 1485 2018">On October 11, 2021, at 11:05 am MST, this Auditor phoned 661.861.3110. The call was answered by the Bakersfield Police Department, Operator #2094. Upon the Auditor explaining the reason for the call, she stated she would transfer Third Party Reports to the Communication Supervisor. The Auditor then asked to be transferred to the Communications Supervisor. The Auditor was immediately transferred to the Communication Supervisor and asked what she would do if she received a Third-Party Report. The Communication Supervisor stated she would take the necessary information and depending on the information received she would transfer the call or contact the facility in question.</p>

115.61	<b>Staff and agency reporting duties</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, dated 7.24.2015</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Random inmates</li> <li>2. Targeted inmates</li> <li>3. Jail Lieutenant</li> <li>4. PREA Compliance Sergeant</li> <li>5. Medical and Mental Health Unit Supervisors</li> <li>6. Random staff</li> <li>7. Specialized staff</li> <li>8. Facility Investigators</li> </ol> <p>Staff and inmates interviewed demonstrated each actively practices and understood the importance of immediately reporting all allegations of sexual abuse and sexual harassment.</p> <p>Site Observations:</p> <p>Staff reporting documentation of inmate information, incident reports and investigations being completed in the facility database demonstrated reports of allegation are addressed timely. Review of investigators demonstrated allegations were investigated timely and thoroughly, regardless of the allegation reported for sexual harassment and or abuse.</p> <p>(a) The Lerdo Pretrial Facility PAQ states the agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency. The agency requires all staff to report immediately and according to agency policy any retaliation against Inmates or staff who reported such an incident. The agency requires all staff to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p> <p style="padding-left: 40px;">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 2, section Directive #1: Staff Responsibilities, states, "Any staff member who has knowledge, suspicion, or information regarding an incident of sexual assault/abuse or sexual harassment; retaliation against inmates or staff who reported such an incident; and any staff neglect that may have contributed to such an incident or retaliation, shall immediately report such information to a supervisor."</p> <p>(b) The Lerdo Pretrial Facility PAQ states, "Apart from reporting to designated supervisors or official and designated state or local service agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions."</p> <p style="padding-left: 40px;">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 2, section Directive #2: Confidentiality, states, "Staff shall not reveal any information related to a sexual assault/abuse report to</p>

anyone uninvolved in the response and investigation.”

(c-d) Kern County Sheriff’s Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 2-3, section Directive #3: Medical and Mental Health Reporting, states, “Medical and mental health practitioners shall report knowledge, suspicion, or information regarding sexual assault/abuse, sexual harassment, retaliation, or staff neglect pursuant to this section.

Unless precluded by federal, state or local law, Medical and Mental Health staff shall inform inmates of their duty to report sexual abuse and the limits of their confidentiality at the initiation of services.

Medical staff will:

Medical staff shall notify the shift supervisor of any third party report of sexual assault, or abuse. Medical staff shall immediately notify the facility supervisor of any inmate report of sexual assault, abuse, or harassment occurring in the facility. Medical staff shall obtain informed consent from the inmate prior to reporting any sexual assault or abuse that did not occur in the facility.

Mental Health Staff will:

Mental Health shall notify the shift supervisor of any third party sexual assault, or abuse reports. Mental Health shall obtain consent to share information from any inmate reporting sexual abuse prior to notifying the shift supervisor, except when significant danger to the inmate or other person exists.”

(e) Kern County Sheriff’s Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 1, policy statement, states, “In accordance with the Prison Rape Elimination Act (PREA) standards, inmates shall be provided multiple avenues, internally and externally, for reporting sexual assault/abuse. Anonymous and third party verbal or written reports of sexual assault/abuse shall be accepted by staff from any person on an inmate’s behalf. Reports of assault/abuse occurring outside of KCSO facilities shall be referred to the appropriate custodial facility or law enforcement agency.”

Through such reviews, the facility exceeds this standards requirement as investigators attempt to provide discharged victims with investigation outcomes.

115.62	<b>Agency protection duties</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 432 300">Document Review:</p> <ol data-bbox="240 331 1474 629" style="list-style-type: none"> <li data-bbox="240 331 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 389 1437 450">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Intake and Screening P-350, dated 4.22.2015</li> <li data-bbox="240 481 1474 542">3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Vulnerable PREA Population Inmates, P-400, dated 7.7.2014</li> <li data-bbox="240 573 1433 633">4. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Gender Identity Committee, P-410, dated 9.30.2014</li> </ol> <p data-bbox="240 719 352 745">Interviews:</p> <ol data-bbox="240 777 576 918" style="list-style-type: none"> <li data-bbox="240 777 576 804">1. PREA Compliance Sergeant</li> <li data-bbox="240 835 491 862">2. Facility Investigators</li> <li data-bbox="240 893 464 920">3. Targeted inmates</li> </ol> <p data-bbox="240 949 1449 1043">Interviews with the PREA Compliance Sergeant and facility investigators demonstrated the facility staff act promptly and responds properly at the discovery of the incident. Inmates interviewed who had reported allegations of abuse, concurred allegations were responded to promptly and thoroughly and were satisfied with the facilities response protocols.</p> <p data-bbox="240 1128 1484 1290">(a) The Lerdo Pretrial Facility PAQ states when the agency or facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the inmate. In the past 12 months, the facility reports 14 inmates were subject to substantial risk of imminent sexual abuse. Upon discovery of Inmate being subject to substantial risk, the facility immediately separates the victim from the perpetrator, made notification and completed incident reporting requirements.</p> <p data-bbox="240 1375 1461 1505">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Intake and Screening P-350, page 1, policy statement, states, "The Kern County Sheriff's Office (KCSO) shall conduct a thorough PREA intake and screening process of each inmate received at its jail facilities to determine any medical or mental health needs, and to inform classification staff of pertinent information for use in making appropriate housing assignments.</p> <p data-bbox="240 1590 1481 1684">In addition to the CJIS medical and hazard booking screens, PREA holding cell risk questions (Attachment 'A') will be asked by receiving staff in order to identify potential risks of harm, sexual victimization, or potential sexual abusers prior to placement in a general population holding cell.</p> <p data-bbox="240 1769 1484 1904">A CJIS PREA risk screening process for all inmates will be conducted to provide classification staff with information about an inmate's sexual orientation, gender identity, past sexual victimization, past sexual abuse acts perpetrated, and the inmate's own perception of sexual abuse vulnerability, enabling them to make informed housing decisions in the best interest of the inmate and facility operations."</p> <p data-bbox="240 1989 1484 2119">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Vulnerable PREA Population Inmates P-400, page 1, policy statement, states, "The Kern County Sheriff's Office (KCSO) recognizes that certain inmates in its custody are potentially vulnerable and at greater risk for sexual abuse or sexual harassment. KCSO shall apply the specific guidelines afforded by the PREA standards to protect at- risk or vulnerable populations from abuse."</p>

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Gender Identity Committee P-410, page 1, policy statement, states, "The Kern County Sheriff's Office (KSCO) is committed to protecting all inmates in its custody, and recognizes that certain populations are more vulnerable to sexual abuse. The PERA standards provide transgender and intersex inmates various protections that will assist our agency in the prevention of sexual abuse and sexual harassment."

115.63	<b>Reporting to other confinement facilities</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <ol data-bbox="240 273 1453 479" style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Sexual Assault/Abuse – Security Response Plan P-500, dated 6.4.2015</li> <li>3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, dated 7.24.2015</li> </ol> <p data-bbox="240 568 352 595">Interviews:</p> <ol data-bbox="240 631 435 658" style="list-style-type: none"> <li>1. Jail Lieutenant</li> </ol> <p data-bbox="240 685 1485 775">The interview with the Jail Lieutenant demonstrated that she was aware that upon receiving an allegation that an inmate was sexually abused while confined at another facility, she had the responsibility to notify the head of the facility where the allegation occurred.</p> <p data-bbox="240 864 1469 1061">(a) The Lerdo Pretrial Facility PAQ states the Kern County Sheriff's Office Detentions Bureau states the agency has a policy requiring that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. The agency's policy also requires that the head of the facility notify the appropriate investigative agency. In the past 12 months, the facility has received one allegation that an inmate was abused while in confinement at another facility.</p> <p data-bbox="240 1151 1485 1276">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 5, section Directive #9, states, "If KCSO receives information that sexual assault had occurred in another confinement facility, it has the duty to report the incident to that confinement facility. (Second bullet) Section manager shall notify the head of the appropriate agency or jurisdiction where assault/abuse occurred."</p> <p data-bbox="240 1366 1453 1429">(b-c) The Lerdo Pretrial Facility PAQ states the agency policy requires that the facility head provides such notification as soon as possible, but no later than 72 hours after receiving the allegation.</p> <p data-bbox="240 1518 1469 1608">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P450, page 5, section Directive #9: Reporting Sexual Abuse to another Custodial Agency, states, "If KCSO receives information that a sexual assault had occurred at another confinement facility, it has the duty to report the incident to that confinement facility.</p> <ul data-bbox="240 1644 1390 1895" style="list-style-type: none"> <li>· Security staff shall notify the next supervisor in their chain of command</li> <li>· Section manager shall notify the head of the appropriate agency or jurisdiction where assault/abuse occurred</li> <li>· Notification shall be made within 72 hours of the allegation</li> <li>· Section manager shall notify the PREA Compliance manager</li> <li>· Section manager shall ensure a CJIS incident is written.</li> </ul> <p data-bbox="240 1984 1485 2074">(d) The Lerdo Pretrial Facility PAQ states the Kern County Sheriff's Office Detentions Bureau states facility policy requires that allegations received from other agencies or facilities are investigated in accordance with the PREA standards. In the last 12 months, there have been zero allegations of sexual abuse the facility received from other facilities.</p>

115.64	<b>Staff first responder duties</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <ol data-bbox="240 273 1469 389" style="list-style-type: none"> <li data-bbox="240 273 555 300">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 329 1469 389">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Sexual Assault / Abuse – Security Response Plan P-500, dated 6.4.2015</li> </ol> <p data-bbox="240 479 352 506">Interviews:</p> <ol data-bbox="240 533 660 734" style="list-style-type: none"> <li data-bbox="240 533 424 560">1. Random staff</li> <li data-bbox="240 591 660 618">2. Activities and Operations Lieutenants</li> <li data-bbox="240 649 493 676">3. Facility Investigators</li> <li data-bbox="240 707 453 734">4. Psychology staff</li> </ol> <p data-bbox="240 766 1465 860">Interviews with all staff demonstrated each were aware of their first responder responsibilities. Staff stated reporting information is posted in each pod. Sergeants concurred staff and inmates alike report allegations of abuse and each would respond as is designed through facility protocol.</p> <p data-bbox="240 949 416 976">Site Observation:</p> <p data-bbox="240 1003 1490 1097">Documentation review of the allegations of sexual abuse reported, each demonstrated staff responded accurately and promptly. The facility staff are aware of the facilities detailed reporting protocols to ensure each allegation report is conducted per facility practices.</p> <p data-bbox="240 1182 1490 1415">(a) The Lerdo Pretrial Facility PAQ states the agency has a first responder policy for allegations of sexual abuse. The policy requires that, 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 separate, preserve, protect, collect 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. 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> <p data-bbox="240 1500 1490 1630">In the past 12 months, 27 allegations occurred where an inmate was sexually abused. Of these allegations, the number of times the first security staff member to respond to the report separated the alleged victim and abuser was 27. In the past 12 months, there were zero allegations where staff were notified within a time period that still allowed or the collection of evidence. Of these allegations the number of times the first security staff member to respond to the report was zero.</p> <p data-bbox="240 1715 1474 1778">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Sexual Assault / Abuse – Security Response Plan P-500, page 4, section Directive A-1: New Assault Security Staff discovering a new assault, states, “</p> <ul data-bbox="240 1805 1043 2123" style="list-style-type: none"> <li data-bbox="240 1805 890 1832">· Radio “assault” only, indicate not in-progress if appropriate</li> <li data-bbox="240 1863 983 1890">· Lock down unit or relocate inmates to holding cell or recreation yard</li> <li data-bbox="240 1921 919 1948">· Assist inmate with necessary first aid until medical staff arrive</li> <li data-bbox="240 1980 1043 2007">· Identify and separate any victim(s) from any known or potential suspect(s)</li> <li data-bbox="240 2038 890 2065">· Restrict access to and secure any potential crime scene(s)</li> <li data-bbox="240 2096 750 2123">· Begin completing a KCSO Crime Scene Log</li> </ul>

- Identify any possible witnesses
- Ensure all involved inmates are secured both from sight and sound
- Advise victim not to eat, drink, brush teeth, change clothes, or use the toilet in order to preserve potential evidence
- Secure suspect(s) in area without water access for limited amount of time
- Transport victim to infirmary via gurney, wheelchair, or walking, per medical staff
- Leave unit locked down and secured for Investigator / TI
- Write appropriate supplemental ILEADS Incident report(s)

(b) The Lerdo Pretrial Facility PAQ states the facility's' policy requires that if the first staff responder is not a security staff member, that responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and notify security staff. Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder was zero. Of those allusions responded o first by a non-security staff member, the number of times that staff member: Requested that the alleged victim not take any actions that could destroy physical evidence and notify security staff was zero.

<b>115.65</b>	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Sexual Assault / Abuse – Security Response Plan P-500, dated 6.4.2015</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Random staff</li> <li>2. PREA Compliance Sergeant</li> <li>3. Supervisory staff</li> <li>4. Investigative staff</li> </ol> <p>Interviews with the random and specialized staff demonstrated the response to allegations of sexual assault is written to coordinate actions taken in response to sexual abuse and sexual harassment incidents.</p> <p>Site Observation:</p> <p>Review of the institutional plan demonstrates clear direction to staff to ensure first responder duties are fulfilled.</p> <p>(a) The Lerdo Pretrial Facility PAQ states the facility developed a written institutional 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>The Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Sexual Assault / Abuse – Security Response Plan P-500 serves as the written institutional plan and coordinates actions to be taken in response to an incident of sexual abuse amongst staff first responders, medical and mental health practitioners, investigators and facility leadership.</p>

115.66	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 329 1469 595" style="list-style-type: none"> <li data-bbox="242 329 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="242 387 1469 448">2. Kern County Sheriff's Office Detention Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse, P-200, dated 3.20.2019</li> <li data-bbox="242 477 1437 537">3. KLEA – Kern Law Enforcement Association and County of Kern Memorandum of Understanding, dated 9.17.2019 – 6.30.2020</li> <li data-bbox="242 566 1377 595">4. Side Letter Agreement Between the County of Kern and Kern Law Enforcement Association, dated 8.18.2020</li> </ol> <p data-bbox="242 683 352 712">Interviews:</p> <ol data-bbox="242 741 576 770" style="list-style-type: none"> <li data-bbox="242 741 576 770">1. PREA Compliance Sergeant</li> </ol> <p data-bbox="242 799 1437 860">Interviews with the PREA Compliance Sergeant determined that all though the security staff are unionized, this does not prohibit the facility from disciplining and or removing staff from the program, if and when necessary.</p> <p data-bbox="242 947 1493 1039">(a) The Lerdo Pretrial Facility PAQ states the agency, facility, or any other governmental entity responsible for collective bargaining on the agency's behalf has entered into or renewed any collective bargaining agreement or other agreement since August 20, 2012, or since the last PREA audit, whichever is later.</p> <p data-bbox="242 1126 1469 1256">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, page 2, section Directive #2: Collective Bargaining Agreements, states, "KCSO is an agency of the County of Kern and bound by County civil service ordinances. The County of Kern conducts collective bargaining for all County agencies and their respective employee bargaining units.</p> <p data-bbox="242 1344 1485 1435">The County collectively bargains with Kern Law Enforcement Association (KLEA), Kern County Detention Officer Association (KCDOA) and Service Employees International Union (SEIU) for issues related to employee pay, leave time, health benefits, uniform allowances. No issues related to employee discipline are negotiated as part of the collective bargaining process."</p> <p data-bbox="242 1523 1445 1583">The agency provided Side Letter Agreement Between the County of Kern and Kern Law Enforcement Association, dated 8.18.2020. This agreement is in effect until June 30, 2022.</p>

115.67	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Zero Tolerance of Sexual Abuse and Sexual Harassment P-100, dated 3.20.2019</li> <li>3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, dated 7.24.2015</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. PREA Compliance Sergeant</li> </ol> <p>Interviews with the PREA Compliance Sergeant demonstrated he would complete retaliation monitoring for the Lerdo Pre-Trial facility.</p> <p>(a) The Lerdo Pretrial Facility PAQ states the agency has a policy to protect all Inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other Inmates or staff. The PREA Compliance Sergeant is the designated Retaliation Monitor for the Lerdo Pretrial Facility.</p> <p>Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Zero Tolerance of Sexual Abuse and Sexual Harassment P-100, page 1, policy statement, states, "Reports of sexual abuse, or harassment of one inmate by another inmate, or retaliation towards an inmate by another inmate for reporting or cooperating in an investigation of sexual abuse or harassment will be investigated and referred for prosecution with appropriate in accordance with the PREA reporting policy, Section P-450 of the B=DBPPM. The following are prohibited and will be thoroughly investigated:</p> <ul style="list-style-type: none"> <li>· Sexual abuse or harassment of an inmate by any KCSO staff member, volunteer or contractor;</li> <li>· Retaliation towards any inmate, staff member, volunteer, or contractor for reporting sexual abuse and/or sexual harassment;</li> <li>· Retaliation towards any inmate, staff member, volunteer, or contractor for cooperation in an investigation."</li> </ul> <p>Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 1, policy statement, states, "The Kern County Sheriff's Office (KCSO) takes all reports of sexual assault/abuse, sexual harassment, or retaliation against inmates or staff for reporting seriously. KCSO has developed defined reporting mechanisms to ensure a timely response to allegations."</p> <p>(b) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 1 policy statement states, "In accordance with the Prison Rape Elimination Act (PREA) standards, inmates shall be provided multiple avenues, internally and externally, for reporting sexual assault/abuse. Anonymous and third party verbal or written reports of sexual assault/abuse shall be accepted by staff from any person on an inmate's behalf. Reports of assault/abuse occurring outside of KCSO facilities shall be referred to the appropriate custodial facility or law enforcement agency.</p> <p>(c) The Lerdo Pretrial Facility PAQ states the facility monitors the conduct or treatment of Inmates or staff who reported sexual abuse and of inmates who were reported to have suffered sexual abuse to ascertain if there are any changes that may suggest possible retaliation by Inmates or staff. The facility will monitor conduct or treatment until the Inmate is discharged. The facility acts promptly to remedy any such retaliation. In the past 12 months, the facility has had zero incidents of retaliation.</p>

(b) For at least 90 days following a report of sexual abuse, the agency 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 agency should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

The PREA Compliance Sergeant serves as the Retaliation Monitor for the Lerdo Pretrial Facility.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 4-5, section Directive #8: Retaliation Monitoring states, "For at least 90 days following a report of sexual abuse, the PREA Manager assigned to the compliance section shall monitor the conduct and treatment of;

- Inmates or staff who reported sexual assault/abuse
- Inmates who were reported to have suffered sexual assault/abuse

Items to be monitored include:

- Inmate disciplinary reports
- Housing assignments
- Program changes
- Negative performance reviews
- Reassignments of staff
- Periodic status checks of the inmate

Retaliation monitoring shall be documented on a PREA Victim Monitoring form (Attachment 'A'). Monitoring shall continue after 90 days if the initial monitoring indicates a need.:

- (c) In the case of inmates, such monitoring shall also include periodic status checks.
- (d) If any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation.
- (e) An agency's obligation to monitor shall terminate if the agency determines that the allegation is unfounded."

115.68	<b>Post-allegation protective custody</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 327 1426 506" style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Administrative Segregation K-400, dated 3.6.2018</li> <li>3. CJIS Class Review – Computer generated database example, dated 5.4.2021</li> </ol> <p data-bbox="242 591 352 620">Interviews:</p> <ol data-bbox="242 647 584 848" style="list-style-type: none"> <li>1. Random Inmates</li> <li>2. Targeted Inmates</li> <li>3. Administrative Seclusion staff</li> <li>4. PREA Compliance Sergeant</li> </ol> <p data-bbox="242 878 1490 1005">Random and targeted Inmate interviews conducted demonstrated that inmates are placed in protective custody typically at their own choosing and or during investigations to keep inmates safe. Interviews with facility staff demonstrated that the protective custody for targeted inmates only occurs when absolutely necessary and never solely as a means for inmates who identify as LBGTQI.</p> <p data-bbox="242 1093 416 1122">Site Observation:</p> <p data-bbox="242 1149 1423 1178">Inmates in administrative seclusion and or protective custody are typically bullpens to ensure an extra level of security.</p> <p data-bbox="242 1263 1490 1628">(a) The Lerdo Pretrial Facility PAQ states the agency has a policy prohibiting the placement of inmates who allege to have suffered sexual abuse 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 number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment was zero. The number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement was zero. From a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged: If an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.</p> <p data-bbox="242 1715 1473 1809">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Administrative Segregation K-400, page 2-3, section Procedure B: Administrative Segregation of PREA at Risk Inmates states, "When an inmate is administratively segregated at intake due to risk of sexual abuse, a classification deputy shall;</p> <ul data-bbox="242 1839 1473 2083" style="list-style-type: none"> <li>· Conduct a complete assessment of the inmate within 24 hours of placement to ensure administrative segregation is necessary and threat the inmate is housed in the least restrictive housing available;</li> <li>· Ensure that the inmate does not exceed 30 consecutive days of administrative segregation without documentation of the concern for the inmate's safety, including articulation of why no alternative means of separation from abusers can be arranged.</li> <li>· Conduct a review every 30 days or sooner to determine the need for continued separation from general population.</li> </ul>

115.71	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA-Criminal and Administrative Investigations P-600, 7.29.2015</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Targeted inmates</li> <li>2. Facility Investigators</li> <li>3. Internal Affairs Investigators</li> <li>4. PREA Compliance Sergeant</li> </ol> <p>Each investigator clearly articulated processes required during an investigation, to include a thorough review and in-depth documentation process.</p> <p>Site Observation:</p> <p>Review of the Administrative Investigations completed, each were completed thoroughly and within 30 days of the initial report. Each investigation included interviews with victims, perpetrators and staff, when allegations were reported timely, with review of the area where the allegation took place.</p> <p>(a) The Lerdo Pretrial Facility PAQ states the agency/facility has a policy related to criminal and administrative agency investigations. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations, page 1, policy statements, states, "The Kern County Sheriff's Office (KCSO), as a law enforcement agency shall promptly, thoroughly, and objectively investigate all reports of inmate's sexual assault, abuse, harassment, or retaliation occurring in its custodial facilities, including third-party and anonymous reports."</p> <p>(b) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations, page 2, section Directive #1, states, "All administrative, criminal, and sexual abuse investigators shall receive specialized training in their respective assignments prior to conducting sexual abuse investigations."</p> <p>(c-e) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations, page 2, section Directive #4 Criminal and Administrative Investigations, states,</p> <ul style="list-style-type: none"> <li>· Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, and witnesses; and shall review prior complaints and reports of sexual abuse involving the victim and suspected perpetrator(s).</li> <li>· KCSO will not conduct any compelled interviews until after all criminal proceedings are completed, or the District Attorney has declined to file the complaint.</li> <li>· 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 agency 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."</li> </ul>

(f-g) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations, page 3, section Directive #4 Criminal and Administrative Investigations, states, "Administrative Investigations -

- Shall include an effort to determine whether staff actions or failures to act contributed to the abuse or if there were policy violations; and
- 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.

(h) The Lerdo Pretrial Facility PAQ there has been five sustained allegation of conduct that appears to be criminal that was referred for prosecution, since the last audit date. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations, page 3, section Directive #4 Criminal and Administrative Investigations, states, "Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution assuming they fall within the statute of limitations PC 801.1."

(i) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations, page 3, section Directive #4 Criminal and Administrative Investigations, states, "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.
- Shall include a check of prior reports or complaints of sexual abuse involving the suspected perpetrator, and documentation of the results.
- Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution assuming they fall within the statute of limitations PC 801.1.
- The agency shall retain all written reports for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

(j) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations, page 3, section Directive #4 Criminal and Administrative Investigations, states, "Criminal investigations: The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation."

Through such reviews, the facility exceeds this standards requirement as the agency and Internal Affairs investigators put forth extreme effort throughout the entire investigation process.

115.72	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigation P-600, dated 7.29.2015</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Investigators</li> </ol> <p>The interview with the agency and internal affairs investigator demonstrated the facility shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>(a) The Lerdo Pretrial Facility PAQ Bureau states the agency imposes a standard of a preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual abuse or sexual harassment are substantiated. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations P-600, states, "Investigations shall be conducted utilizing standard investigation methods in accordance with all laws. No standard higher than a preponderance of the evidence shall be used in determining whether allegations of sexual abuse or sexual harassment are substantiated in administrative investigations."</p>

115.73	<b>Reporting to inmates</b>
	<p data-bbox="240 147 766 174"><b>Auditor Overall Determination:</b> Exceeds Standard</p> <p data-bbox="240 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 435 300">Document Review:</p> <ol data-bbox="240 331 1382 564" style="list-style-type: none"> <li data-bbox="240 331 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 389 1382 448">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations P-600, dated 7.29.2015</li> <li data-bbox="240 479 963 506">3. Four completed PREA Incident Review Reports, dated year of 2021</li> <li data-bbox="240 537 1002 564">4. Two completed PREA Incident Findings Notification, dated year of 2021</li> </ol> <p data-bbox="240 654 352 680">Interviews:</p> <ol data-bbox="240 712 692 792" style="list-style-type: none"> <li data-bbox="240 712 692 739">1. Agency and Internal Affairs Investigators</li> <li data-bbox="240 770 574 797">2. PREA Compliance Sergeant</li> </ol> <p data-bbox="240 824 1426 949">Interviews with the facility investigators and the PREA Compliance Sergeant demonstrated notification requirements to victims was provided in writing, regardless if inmates continued to be incarcerated. Written notifications are provided to inmates by investigation staff, which inmates confirmed. In addition, the PREA Compliance Sergeant verbally informs inmates of the progression and outcome of investigations and documents those investigations in the agency database.</p> <p data-bbox="240 1039 1477 1263">(a) The Lerdo Pretrial Facility PAQ states the Kern County Sheriff's Office Detentions Bureau states the agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency. The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility in the past 12 months was 27. Of the alleged sexual abuse investigations that were completed in the past 12 months, the number of inmates who were notified, verbally or in writing, of the results of the investigations was 27.</p> <p data-bbox="240 1352 1493 1509">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations P-600, page 5, section Procedure D: Reporting to Inmates, states, "All notifications specified below shall be attempted or made to the inmate unless released from custody. All notifications or attempts shall be documented on a PREA Incident Findings Notification (Attachment 'A'), and include whether the allegation has been substantiated, unsubstantiated or unfounded."</p> <p data-bbox="240 1599 1417 1666">(b) This provision is not applicable as the Kern County Sheriff's Office conducts their own administrative and criminal investigations.</p> <p data-bbox="240 1756 1477 1845">(c) The Lerdo Pretrial Facility PAQ states following an inmate's allegation that a staff member has committed sexual abuse against the Inmate, the agency/facility subsequently informs the Inmate (unless the agency has determined that the allegation is unfounded) whenever:</p> <ul data-bbox="240 1877 1426 2078" style="list-style-type: none"> <li data-bbox="240 1877 877 1904">• The staff member is no longer posted within the Inmate's unit;</li> <li data-bbox="240 1935 804 1962">• The staff member is no longer employed at the facility;</li> <li data-bbox="240 1993 1426 2020">• The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or</li> <li data-bbox="240 2051 1426 2078">• The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility."</li> </ul>

There has been a substantiated or unsubstantiated complaint of sexual abuse committed by staff against an inmate in the last 12 months.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations P-600, page 6, section Staff Abuse Allegations, states, "Unless a sexual abuse allegation against staff was determined to be unfounded and absent any legal restriction, KCSO shall notify inmates reporting staff sexual abuse of the investigation findings, and whenever:

- The staff member is no longer posted within the inmate's unit;
- The staff member is no longer employed at the facility;
- The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
- The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility."

The facility provided four completed PREA Incident Review Reports. These reports had a thorough account of events reported and interview with victims and camera footage review. Two completed PREA Incident Findings Notifications. These notifications were given to victims once the investigation was completed.

(d) The Lerdo Pretrial Facility PAQ states following an inmate's allegation that he or she has been sexually abused by another Inmate in an agency facility, the agency subsequently informs the alleged victim whenever: the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Criminal and Administrative Investigations P-600, page 6, section Inmate Abuse Allegations, states, "Following an inmate's allegation of abuse by another inmate, KCSO shall 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; or
- The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility."

(e) The Lerdo Pretrial Facility PAQ states the agency has a policy that all notifications to inmates described under this standard are documented. In the past 12 months, there has been 27 notifications to an inmate, pursuant to this standard. Of those motivations, in the past 12 months, 27 were documented. Policy compliance for this revision can be found in provision (c) of this standard.

Through such reviews, the facility exceeds this standards requirement as the administrative and criminal investigators go above and beyond to ensure all current and past offenders are aware of all processes throughout the investigation.

115.76	<b>Disciplinary sanctions for staff</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 432 300">Document Review:</p> <ol data-bbox="240 327 1465 539" style="list-style-type: none"> <li data-bbox="240 327 555 353">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 387 1465 450">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Zero Tolerance of Sexual Abuse and Sexual Harassment P-100, dated 3.20.2019</li> <li data-bbox="240 477 1465 539">3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, dated 6.4.2015</li> </ol> <p data-bbox="240 624 352 651">Interviews:</p> <ol data-bbox="240 678 587 705" style="list-style-type: none"> <li data-bbox="240 678 587 705">1. PREA Compliance Sergeant</li> </ol> <p data-bbox="240 790 416 817">Site Observation:</p> <p data-bbox="240 853 1406 916">In the last 12 months, the facility had zero staff who was disciplined for violation of an agency sexual abuse or sexual harassment policy.</p> <p data-bbox="240 1001 1465 1162">(a) The Lerdo Pretrial Facility PAQ states staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Zero Tolerance of Sexual Abuse and Sexual Harassment P-100, page 2, policy statement, states, "Substantiated allegations may result in discipline up to and including termination of employment, cancellation of contract and/or criminal prosecution of staff or inmates."</p> <p data-bbox="240 1247 1474 1346">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 3, section Procedure C: Staff Discipline, states, "KCSO shall appropriately discipline staff for substantiated allegations of sexual abuse or sexual harassment.</p> <ul data-bbox="240 1373 1493 1619" style="list-style-type: none"> <li data-bbox="240 1373 1166 1400">· Substantiated sexual abuse by a KCSO staff member shall be grounds for termination.</li> <li data-bbox="240 1431 1493 1529">· Disciplinary sanctions for violations of agency 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.</li> <li data-bbox="240 1556 1474 1619">· All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff in lieu of termination, shall be reported to any relevant licensing bodies, unless the activity was clearly not criminal."</li> </ul> <p data-bbox="240 1704 1465 1767">(b) The Lerdo Pretrial Facility PAQ states in the last 12 months, there has been one staff from the facility that had violated agency sexual abuse or sexual harassment policies.</p> <p data-bbox="240 1852 1489 1982">(c) The Lerdo Pretrial Facility PAQ states disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. In the past 12 months there have zero staff requiring discipline for sexual abuse or sexual harassment.</p> <p data-bbox="240 2067 1485 2166">(d) The Lerdo Pretrial Facility PAQ states all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. In the past 12 months, one staff</p>

have been terminated for sexual abuse or harassment.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 3, section Procedure C: Staff Discipline, states, "All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff in lieu of termination, shall be reported to any relevant licensing bodies, unless the activity was clearly not criminal."

115.77	<b>Corrective action for contractors and volunteers</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 329 1469 448" style="list-style-type: none"> <li data-bbox="242 329 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="242 387 1469 448">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, dated 6.4.2015</li> </ol> <p data-bbox="242 535 352 564">Interviews:</p> <ol data-bbox="242 593 576 622" style="list-style-type: none"> <li data-bbox="242 593 576 622">1. PREA Compliance Sergeant</li> </ol> <p data-bbox="242 707 416 736">Site Observation:</p> <p data-bbox="242 766 1485 857">During the last audit cycle, the facility did not have any volunteers or contractors subject to disciplinary action due to violating sexual abuse or sexual harassment policies. Of the volunteer and contractor files reviewed, none had disciplinary action for violations of sexual abuse or sexual harassment.</p> <p data-bbox="242 945 1485 1108">(a) The Lerdo Pretrial Facility PAQ states agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. agency policy requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with Inmates. In the past 12 months, there have been zero contractors or volunteers reported to law enforcement or relevant licensing bodies for engaging in sexual abuse of Inmates.</p> <p data-bbox="242 1196 1477 1288">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 5, section Procedure E: Corrective Action for Contractors and Volunteers, states, "KCSO shall terminate services from any contractor or volunteer for any substantiated allegation of sexual abuse involving an inmate.</p> <p data-bbox="242 1321 1465 1382">Any contractor or volunteer who engages in sexual abuse of an inmate shall be prohibited from contact with inmates and shall be reported to law enforcement agencies. Such conduct shall be reported to relevant licensing bodies.</p> <p data-bbox="242 1469 1449 1561">(b) The Lerdo Pretrial Facility PAQ the facility takes appropriate remedial measures and considers whether to prohibit further contact with Inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p data-bbox="242 1648 1469 1776">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 5, section Procedure E: Corrective Action for Contractors and Volunteers, states, "In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, the facility shall take appropriate remedial measures, and shall consider whether to prohibit all further contact by the contractor or volunteer with inmates."</p>

115.78	<b>Disciplinary sanctions for inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, dated 6.4.2015</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. PREA Compliance Sergeants</li> </ol> <p>Interviews with the PREA Compliance Sergeant demonstrated inmates who falsely reported PREA allegations would typically be moved to another housing unit and or facility due to safety reasons for the inmate.</p> <p>(a) The Lerdo Pretrial Facility PAQ states inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. Inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. In the past 12 months there have been six administrative findings of inmate-on-inmate sexual abuse have occurred at the facility. In the past 12 months there have zero criminal findings of guilt for inmate-on-inmate sexual abuse, occurring at the facility.</p> <p>Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 4, section Procedure D: Inmate Discipline, states, "Inmates shall not be subject to disciplinary sanctions pursuant to DBPPM I-100 if the suspect(s) will be referred for criminal prosecution. Consensual sexual activity between inmates is a facility rule violation and inmates are subject to disciplinary action."</p> <p>(b) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 4, section Procedure D: Inmate Discipline, states, "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."</p> <p>(c) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 4, section Procedure D: Inmate Discipline, states, "The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his/her behavior when determining what type of sanction, if any, should be imposed."</p> <p>(a) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 4, section Procedure D: Inmate Discipline, states, "As a condition of access to programming or other benefits, KCSO may require the inmate to participate in a program designed to address and correct underlying reasons or motivations for the abuse."</p> <p>(e) The Lerdo Pretrial Facility PAQ states the agency disciplines inmates for sexual contact with staff only upon finding that the staff member did not consent to such contact. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 4, section Procedure D: Inmate Discipline, states, "The agency may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact."</p>

(f) The Lerdo Pretrial Facility PAQ states the agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 4, section Procedure D: Inmate Discipline, 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 false reporting or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation."

(g) The Lerdo Pretrial Facility PAQ the agency prohibits all sexual activity between inmates. If the agency prohibits all sexual activity between inmates and disciplines inmates for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Hiring, Promotions and Discipline P-900, page 4, section Procedure D: Inmate Discipline, states, "KCSO prohibits all sexual activity between inmates and may discipline inmates for such activity. KCSO will not, however, deem such activity to constitute sexual abuse if it determines that the activity was consensual."

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

1. Lerdo Pretrial Facility PAQ
2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Intake and Screening P-350, dated 4.22.2015
3. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, dated 3.20.2019
4. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, dated 7.24.2015

Interviews:

1. Random inmates
2. Targeted inmates
3. Advocate
4. Mental Health Unit Supervisor
5. Intake staff

Interviews with the targeted inmates, Advocate, Mental Health and Intake staff demonstrated disclosure reports are reported to the Advocate staff. Documentation of disclosures and follow up appointments are documented in the mental health database.

Site Observation:

A review of inmate files demonstrated inmate disclosures are documented and follow up medical and or mental health appointments are offered and documented. Random inmates disclosed to the Auditor during interviews. The PREA Compliance Sergeant ensured each were paired with an on-site advocate the same and or following day.

(a) The Lerdo Pretrial Facility PAQ states all Inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.341 are offered a follow-up meeting with a medical or mental health practitioner. Follow up meetings are offered within 14 days of the intake screening. In the past 12 months there has been 100 inmates who disclosed prior victimization during the intake screening. Medical and mental health staff maintain secondary materials, documenting compliance with the above required services.

The PREA Manger states the Medical and mental health secondary materials are documented in the Medical and Mental Health records.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Intake and Screening P-350, page 5-6, section Procedure F: PREA Coordinator Responsibilities, states, "The designated PREA Coordinator will review the list several times a week to:

- Ensure that any PREA related issues reported during intake and screening are reviewed for compliance with PREA standards and KCSO policy.
- Ensure that inmates on automated list reporting prior sexual victimization are referred to medical or mental health in a timely manner so that they can receive treatment within 14 days of the intake and screening in accordance with PREA §

115.81.

(b) This provision is not applicable as the Kern County Sheriff's Office is not a prison.

(d) The Lerdo Pretrial Facility PAQ states, Information related to sexual victimization or abusiveness that occurred in an institutional setting is not strictly limited to medical and mental health practitioners. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Prevention and Detection of Sexual Abuse P-200, page 5, section Directive #8: Confidentiality, states, "KCSO will implement appropriate controls of dissemination of confidential information through policy, training and the "need to know" legal restriction on accessing electronic inmate records, in order to ensure that responses to questions asked pursuant to this standard and sensitive information is not exploited to the inmate's detriment by staff or other inmates."

(e) The Lerdo Pretrial Facility PAQ states, Medical and mental health practitioners do not obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institution setting unless the inmate is under the age of 18. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Reporting Sexual Abuse P-450, page 2-3, section Directive #3: Medical and Mental Health reporting, states, "Medical staff shall notify the shift supervisor of any third party report of sexual assault, or abuse. Medical staff shall immediately notify the facility supervisor of any inmate report of sexual assault, abuse, or harassment occurring in the facility. Medical staff shall obtain informed consent from the inmate prior to reporting any sexual assault or abuse that did not occur in the facility."

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

1. Lerdo Pretrial Facility PAQ
2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-550, dated 6.4.2015

Interviews:

1. Medical Unit Supervisor
2. Mental Health Unit Supervisor

Interviews with the Medical and Mental Health Unit Supervisors demonstrated that inmates are aware of access to emergency medical and mental health services and such services have been offered and accepted by inmates.

(a-b) The Lerdo Pretrial Facility PAQ states Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgment. Medical and mental health staff maintain secondary materials (e.g., form, log) documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-550, page 1, policy statement states, "The Kern County Sheriff's Office (KCSO) Detentions Bureau has developed a policy on victim services and a victim services response plan to provide inmate victims of sexual harassment, abuse or assault with immediate intervention and/or prompt emergency and crisis intervention services from medical, mental health, and victim advocates."

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-550, page 3, section Procedure A: Emergency Care for Victims, Mental Health staff shall:

- "Provide inmate victims of sexual abuse timely, unimpeded emergency medical treatment, taking care to preserve and/or secure evidence, as possible.
- Medical staff will consult with the investigating Deputy and/or forensic examiners regarding any evidence related issues.
- Offer all victims of sexual abuse access to forensic medical examination at an approved contracted hospital providing evidentiary or medically appropriate care. The examinations will be performed by a Sexual Assault Nurse Examiner (SANE).
- Offer inmate victims of sexual abuse who do not receive a forensic examination with 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.
- When applicable, offer female inmate sexual assault victims pregnancy tests. If pregnancy results, victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services."

(c) The Lerdo Pretrial Facility PAQ states Inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-550, page 3, section Procedure A: Emergency Care for Victims, Mental Health staff shall: "Offer inmate victims of sexual assault tests for sexually transmitted infections, as medically appropriate."

(d) The Lerdo Pretrial Facility PAQ states Treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-550, page 1, policy statements, states," KCSO shall provide free community level medical and mental health services to all sexual abuse victims with or without cooperation in any subsequent investigation."

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

1. Lerdo Pretrial Facility
2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Plan P-550, dated 6.4.2015

Interviews:

1. Targeted inmates
2. Random staff
3. Medical Unit Supervisor
4. Mental Health Unit Supervisor

Interviews with medical and mental health staff, random staff and inmates demonstrated that each interviewed are aware of access to emergency medical and mental health services. Inmates who reported sexual abuse reported staff acted immediately, empathetically and addressed their concerns and needs.

(a) The Lerdo Pretrial Facility PAQ states the facility offers 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. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Plan P-550, page 3, section Procedure A: Emergency Care for Victims, states, "Mental Health staff shall:

- Provide direct emergency crisis support to inmates during a current or recent abuse incident as needed.

Medical staff shall:

- Provide inmate victims of sexual abuse timely, unimpeded emergency medical treatment, taking care to preserve and/or secure evidence, as possible.

(b) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Plan P-550, page 3, section Procedure B: Ongoing Medical and Mental Health Treatment, states, "KCSO shall provide medical and mental health evaluations and, as appropriate, treatment to all inmates who have been victimized and to abusers if known. Treatment of victims is to be provided as described below."

(c) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Response Plan P-550, page 1, policy statements, states, "KCSO shall provide free community level medical and mental health services to all sexual abuse victims with or without cooperation in any subsequent investigation."

(d-e) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Plan P-550, page 3, section Procedure B: Ongoing Medical and Mental Health Treatment, states, "When applicable, offer female inmate sexual assault victims pregnancy tests. If pregnancy results, victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services."

(f) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: Victim Services Plan P-550, page 3, section Procedure B: Ongoing Medical and Mental Health Treatment, states, "Offer inmate victims of sexual assault tests for sexually transmitted infections, as medically appropriate."

(g) Compliance for the provision is sustained in provision (c) of this standard.

(h) This provision is not applicable as this facility is a jail.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

1. Lerdo Pretrial Facility PAQ
2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Data Collection, Reviews and Audits P-700, dated 3.14.2019

Interviews:

1. PREA Compliance Sergeant
2. Jail Lieutenant
3. Facility Sergeants
4. Investigation staff

The team on-site clearly articulated their review of all incidents reported and investigations of sexual harassment and sexual abuse.

(a) The Lerdo Pretrial Facility PAQ states the facility conducts a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse investigation, unless the allegation has been determined to be unfounded. In the past 12 months there has been 22 criminal and or administrative investigations of alleged sexual abuse completed at the facility,

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Data Collection, Reviews and Audits P-700, page 2, section Procedure A: Sexual Abuse Incident Reviews, states, "The facility shall conduct an incident review (Attachment – 'C') at the conclusion of every sexual abuse investigation, including allegations not substantiated, unless the allegation has been determined to be unfounded. The incident review shall ordinarily occur within 30 days of the conclusion of the investigation."

(b) The Lerdo Pretrial Facility PAQ states sexual abuse incident reviews are ordinarily conducted within 30 days of concluding the criminal or administrative investigation. In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only "unfounded" incidents were 12.

(c) The Lerdo Pretrial Facility PAQ states the sexual abuse incident review team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Data Collection, Reviews and Audits P-700, page 2, section Procedure A: Sexual Abuse Incident Reviews, states, "The review team shall include the PREA coordinator, section manager, with input from line supervisors, investigators, and medical or mental health practitioners."

(d) The Lerdo Pretrial Facility PAQ states the facility prepares a report of its findings from sexual abuse incident reviews, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1)-(d)(5) of this section, and any recommendations for improvement and submits such report to the facility head and PREA Compliance Sergeant. The agency allows for input from line supervisors, investigators, and medical or mental health practitioners. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Data Collection, Reviews and Audits P-700, page 2-3, section Procedure A: Sexual Abuse Incident Reviews, states,

The review team shall:

Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;

Consider whether the incident or allegation was motivated by any of the following factors:

- Race;
- Ethnicity;
- Gender identity;
- Lesbian, gay, bisexual, transgender or intersex identification;
- Status or perceived status;
- Gang affiliation;
- Other group dynamics at the facility;

Examine the area in the facility where the incident is reported to have occurred to assess if physical barriers exist in the area which may enable abuse;

Assess the adequacy of staffing levels in that area during different shifts;

Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and

Prepare and submit a report of its findings, including any recommendations for improvement, to the PREA Compliance Manager and appropriate Section Manager.

(a) The Lerdo Pretrial Facility PAQ states, the facility implements the recommendations for improvement or documents its reasons for not doing so. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA Data Collection, Reviews and Audits P-700, page 2, section Procedure A: Sexual Abuse Incident Reviews, states, "The Section Manager shall implement the recommendations for improvement or document their reasons for not doing so."

115.87	<b>Data collection</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 435 300">Document Review:</p> <ol data-bbox="240 331 1473 560" style="list-style-type: none"> <li data-bbox="240 331 555 358">1. Lerdo Pretrial Facility PAQ</li> <li data-bbox="240 389 1473 448">2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, dated 3.14.2019</li> <li data-bbox="240 479 1198 506">3. Kern County Sheriff's Office Annual – 2020 PREA Facility Review Report - Pre-Trial Facility</li> <li data-bbox="240 537 906 564">4. Kern County Sheriff's Office Annual Pre-Trial Addendum 2020</li> </ol> <p data-bbox="240 654 1489 779">(a/c) The Lerdo Pretrial Facility PAQ states the agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.</p> <p data-bbox="240 869 1489 994">Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 1, policy statement, states, "The Kern County Sheriff's Office (KCSO) Detentions Bureau Compliance Section, in accordance with the Prison Rape Elimination Act (PREA), shall maintain incident data for all reports of sexual abuse, assault, and harassment.</p> <p data-bbox="240 1084 1473 1142">The Compliance Section shall conduct a review of each incident reported and evaluate the effectiveness of its sexual abuse prevention, detection, response policies, practices and training.</p> <p data-bbox="240 1232 1449 1290">All data shall be aggregated annually and a report made available to the public on the Sheriff's Office public website. The data collected shall answer all questions from the most recent Department of Justice Survey of Sexual Violence.</p> <p data-bbox="240 1379 1489 1406">KCSO shall conduct an audit of each of its custodial facilities every three (3) years for compliance with the PREA standards."</p> <p data-bbox="240 1496 1090 1523">Page 3, section Procedure B: Data Collection, states, "The Compliance Section shall:</p> <ul data-bbox="240 1608 1473 1850" style="list-style-type: none"> <li data-bbox="240 1608 1473 1702">· Collect accurate, uniform data for every allegation of sexual assault/abuse at all KCSO custody facilities using a standardized instrument and set of definitions and aggregate the data at least annually. The data will be documented on an Annual PREA Facility Review Report form (Attachment 'D');</li> <li data-bbox="240 1787 1473 1850">· Collect incident-based data to 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.</li> </ul> <p data-bbox="240 1939 1409 1966">(b) The Lerdo Pretrial Facility PAQ states the agency aggregates the incident-based sexual abuse at least annually.</p> <p data-bbox="240 2056 1457 2145">(d) The Lerdo Pretrial Facility PAQ states the agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 3, section</p>

Procedure B: Data Collection, state, "The Compliance Section shall:

- Maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual assault/abuse incident reviews."

The agency provided a Kern County Sheriff's Office Annual PREA Facility Review Report Pre-Trial Facility. The report utilized definitions of "sexual abuse" and "sexual abuse" by a staff member, contractor, or volunteer as provided by 28 C.F.R. 115.6 in the National Standards to Prevent, Detect, and Respond to Prison Rape (under the Prison Rape Elimination Act of 2003)

(e) This provision is not applicable as Kern County Sheriff's Office does not have private facilities.

(f) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 3, section Procedure B: Data Collection, state, "The Compliance Section shall:

- Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice (DOJ) no later than June 30."

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

1. Lerdo Pretrial Facility PAQ
2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, dated 3.14.2019
3. Kern County Sheriff's Office Annual – 2020 PREA Facility Review Report - Pre-Trial Facility
4. Kern County Sheriff's Office Annual Pre-Trial Addendum 2020

(a) The Lerdo Pretrial Facility PAQ states the agency reviews data collected and aggregated pursuant to §115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training, including:

- Identifying problem areas;
- Taking corrective action on an ongoing basis; and
- Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole.

Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 3, section Directive B-2: Data review for corrective action, states, "The Compliance Section shall conduct an annual review of the aggregated, incident-based data collected to assess and improve the effectiveness of all PREA related training, policies, and procedures.

The review data will be compiled into a report detailing the findings, which will include:

- Identification of any deficiencies within each facility or section;
- Suggested corrective actions (if any);

The completed report shall be forwarded to the Detentions Bureau Chief Deputy via chain of command for approval. Upon approval, the report will be made readily available to the public via the Sheriff's Office public website."

(b) The Lerdo Pretrial Facility PAQ states the annual report includes a comparison of the current year's data and corrective actions to those from prior years. The annual report provides an assessment of the agency's progress in addressing sexual abuse. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 4, section Directive B-2: Data review for corrective action, states,

- "Comparison of the current year's data with the prior year; and
- Assessment of progress in addressing sexual assault/abuse."

The agency provided a Kern County Sheriff's Office Annual PREA Facility Review Report Pre-Trial Facility. The report utilized definitions of "sexual abuse" and "sexual abuse" by a staff member, contractor, or volunteer as provided by 28 C.F.R. 115.6 in the National Standards to Prevent, Detect, and Respond to Prison Rape (under the Prison Rape Elimination Act of 2003)

(c) The Lerdo Pretrial Facility PAQ states the agency makes its annual report readily available to the public, at least annually, through its website. Annual reports are approved by the agency head. The annual report for the agency can be found at [https://www.kernsheriff.org/PREA\\_Document/Pre\\_Trial\\_2020\\_PREA\\_Facility\\_Report.pdf](https://www.kernsheriff.org/PREA_Document/Pre_Trial_2020_PREA_Facility_Report.pdf)

(d) The Lerdo Pretrial Facility PAQ states when the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 4, section Directive B-2: Data review for corrective action, states, "Specific material that would present a clear and specific threat to the safety and security of a facility will be redacted prior to publication for public viewing. The report must indicate the nature of the material redacted."

115.89	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ol style="list-style-type: none"> <li>1. Lerdo Pretrial Facility PAQ</li> <li>2. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, dated 3.14.2019</li> </ol> <p>(a) The Lerdo Pretrial Facility PAQ states the agency ensures that incident-based and aggregate data are securely retained. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 4, section Directive B-3: Data storage, publication and destruction, states, "The Compliance Section shall: Ensure the data collected is securely retained." Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 1, policy statement, states, "All data shall be aggregated annually and a report made available to the public on the Sheriff's Office public website."</p> <p>(b) The Lerdo Pretrial Facility PAQ states agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website.</p> <p>(c) The Lerdo Pretrial Facility PAQ states before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers. Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 4, section B-3: Data storage, publication and destruction, states, "The Compliance Section shall: Remove all personal identifiers prior to making all facility aggregated sexual abuse data available to the public annually on its website."</p> <p>(d) Kern County Sheriff's Office Detentions Bureau Policies and Procedures: PREA – Data Collection, Reviews and Audits P-700, page 4, section B-3: Data storage, publication and destruction, states, "The Compliance Section shall: "Maintain collected sexual assault/abuse data for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise."</p>

115.401	<b>Frequency and scope of audits</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 435 300">Document Review:</p> <ol style="list-style-type: none"> <li data-bbox="240 331 1007 358">1. Kern County Sheriff's Office Detentions Bureau Policies and Procedures <ul style="list-style-type: none"> <li data-bbox="240 443 1461 537">(a) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 57, section 115.401(a) states, "Information provided to auditors under this section is released consistent with the Freedom of Information Act/Privacy Act and all other applicable laws, rules, and regulations.</li> <li data-bbox="240 627 1437 721">During the three-year period starting on August 20, 2013, and during each three-year period thereafter, the agency shall ensure that each facility operated by the agency, or by a private organization on behalf of the agency, is audited at least once."</li> <li data-bbox="240 810 1453 904">(b) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 57, section 115.401(b) states, "During each one-year period starting on August 20, 2013, the agency shall ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, is audited."</li> <li data-bbox="240 994 1442 1120">(c) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 57, section 115.401(b) states, "The Department of Justice may send a recommendation to an agency for an expedited audit if the Department has reason to believe that a particular facility may be experiencing problems relating to sexual abuse. The recommendation may also include referrals to resources that may assist the agency with PREA- related issues."</li> <li data-bbox="240 1209 1477 1303">(d) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 57, section 115.401(b) states, "The Department of Justice shall develop and issue an audit instrument that will provide guidance on the conduct of and contents of the audit."</li> <li data-bbox="240 1393 1461 1487">(e) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 57, section 115.401(e) states, "The auditor shall review all relevant agency-wide policies, procedures, reports, internal and external audits, "and accreditations for each facility type."</li> <li data-bbox="240 1576 1490 1671">(f) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 58, section 115.401(f) states, "The audits shall review, at a minimum, a sampling of relevant documents and other records and information for the most recent one-year period."</li> <li data-bbox="240 1760 1422 1809">(g) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 58, section 115.401(g) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities."</li> <li data-bbox="240 1899 1422 1993">(h) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 58, section 115.401(h) states, "The auditor shall be permitted to request and receive copies of any relevant documents (including electronically stored information)."</li> <li data-bbox="240 2083 1461 2141">(i) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 58, section 115.401(i) states, "The auditor shall retain and preserve all documentation (including, e.g., video tapes and interview notes) relied upon in making</li> </ul> </li> </ol>

audit determinations. Such documentation shall be provided to the Department of Justice upon request.”

(j) Kern County Sheriff’s Office Detentions Bureau Policies and Procedures, page 58, section 115.401(j) states, “The auditor shall interview a representative sample of inmates, residents, and detainees, and of staff, supervisors, and administrators.

The local Union will be given the opportunity to have the designated representative interviewed.”

(k) Kern County Sheriff’s Office Detentions Bureau Policies and Procedures, page 58, section 115.401(k) states, “The auditor shall review a sampling of any available videotapes and other electronically available data (e.g., Watchtour) that may be relevant to the provisions being audited.”

(l) Kern County Sheriff’s Office Detentions Bureau Policies and Procedures, page 58, section 115.401(l) states, “The auditor shall be permitted to conduct private interviews with inmates, residents, and detainees.

This section refers to in-person interviews. Institutions may use attorney-client rooms or other appropriate areas, taking institution security concerns into account.”

(m) Kern County Sheriff’s Office Detentions Bureau Policies and Procedures, page 58, section 115.401(m) states, “Inmates, residents, and detainees shall be permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.

Inmates are able to use Special Mail procedures relevant to attorneys and legal counsel when sending confidential information or correspondence to PREA auditors, consistent with the Program Statement Correspondence. The Institution PREA Compliance Manager will notify the institution mailroom when the PREA audit is beginning and ending, which will determine the time frame for PREA auditor mail to be treated as Special Mail.”

(n) Kern County Sheriff’s Office Detentions Bureau Policies and Procedures, page 58, section 115.401(n) states, “Auditors shall attempt to communicate with community-based or victim advocates who may have insight into relevant conditions in the facility.”

115.403	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <p>1. Kern County Sheriff's Office Detentions Bureau Policies and Procedures</p> <p>(a) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 59, section 115.403 (a) states, "Each audit shall include a certification by the auditor that no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review."</p> <p>(b) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 59, section 115.403 (b) states, "Audit reports shall state whether agency-wide policies and procedures comply with relevant PREA standards."</p> <p>(b) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 59, section 115.403 (c) states, "For each PREA standard, the auditor shall determine whether the audited facility reaches one of the following findings: Exceeds Standard (substantially exceeds requirement of standard); Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period); Does Not Meet Standard (requires corrective action). The audit summary shall indicate, among other things, the number of provisions the facility has achieved at each grade level."</p> <p>(c) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 59, section 115.403 (d) states, "Audit reports shall describe the methodology, sampling sizes, and basis for the auditor's conclusions with regard to each standard provision for each audited facility, and shall include recommendations for any required corrective action."</p> <p>(d) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 59, section 115.403 (e) states, "Auditors shall redact any personally identifiable inmate or staff information from their reports, but shall provide such information to the agency upon request, and may provide such information to the Department of Justice."</p> <p>(e) Kern County Sheriff's Office Detentions Bureau Policies and Procedures, page 60, section 115.403 (f) states, "The agency shall ensure that the auditor's final report is published on the agency's Web site if it has one, or is otherwise made readily available to the public."</p> <p>The final report will be posted on the Bureau's public website within 15 working days of receipt. The most recent final report for each facility must be posted."</p>

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

<b>115.13 (a)</b>	<b>Supervision and monitoring</b>	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into 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
<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes
<b>115.14 (a)</b>	<b>Youthful inmates</b>	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (b)</b>	<b>Youthful inmates</b>	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (c)</b>	<b>Youthful inmates</b>	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.15 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
<b>115.15 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	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
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes

<b>115.15 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
<b>115.15 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
<b>115.15 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

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

<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	na
<b>115.31 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
<b>115.31 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

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

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

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

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

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

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

<b>115.43 (b)</b>	<b>Protective Custody</b>	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	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
<b>115.43 (c)</b>	<b>Protective Custody</b>	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
<b>115.43 (d)</b>	<b>Protective Custody</b>	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
<b>115.43 (e)</b>	<b>Protective Custody</b>	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
<b>115.51 (a)</b>	<b>Inmate reporting</b>	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

<b>115.51 (b)</b>	<b>Inmate reporting</b>	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain 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
<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
<b>115.51 (d)</b>	<b>Inmate reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from 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

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

<b>115.53 (a)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, 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.)	yes
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
<b>115.53 (b)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
<b>115.53 (c)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
<b>115.54 (a)</b>	<b>Third-party reporting</b>	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
<b>115.61 (a)</b>	<b>Staff and agency reporting duties</b>	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

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

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

<b>115.67 (c)</b>	<b>Agency protection against retaliation</b>	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of 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
<b>115.67 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations 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

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

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

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

<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	yes
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
<b>115.82 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
<b>115.82 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.83 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na
<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.87 (a)</b>	<b>Data collection</b>	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.87 (c)</b>	<b>Data collection</b>	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
<b>115.87 (d)</b>	<b>Data collection</b>	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
<b>115.87 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na
<b>115.87 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes

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

<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	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
<b>115.401 (h)</b>	<b>Frequency and scope of audits</b>	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
<b>115.401 (i)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
<b>115.401 (m)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
<b>115.403 (f)</b>	<b>Audit contents and findings</b>	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes