

PREA Facility Audit Report: Final

Name of Facility: Community Corrections Center Lincoln

Facility Type: Community Confinement

Date Interim Report Submitted: NA

Date Final Report Submitted: 03/13/2024

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
Auditor Full Name as Signed: Karen d. Murray	Date of Signature: 03/13/ 2024

AUDITOR INFORMATION	
Auditor name:	Murray, Karen
Email:	kdmconsults1@gmail.com
Start Date of On-Site Audit:	02/11/2024
End Date of On-Site Audit:	02/12/2024

FACILITY INFORMATION	
Facility name:	Community Corrections Center Lincoln
Facility physical address:	2720 West Van Dorn Street, Lincoln, Nebraska - 68522
Facility mailing address:	

Primary Contact	
Name:	April Bulling-June
Email Address:	april.bullingjune@nebraska.gov
Telephone Number:	402-471-6686

Facility Director	
Name:	Michele Wilhelm
Email Address:	michele.wilhelm@nebraska.gov
Telephone Number:	402-471-6250

Facility PREA Compliance Manager	
Name:	April Bulling-June
Email Address:	april.bullingjune@nebraska.gov
Telephone Number:	O: 402-471-6686

Facility Characteristics	
Designed facility capacity:	660
Current population of facility:	589
Average daily population for the past 12 months:	594
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	19-73
Facility security levels/resident custody levels:	Community A/B
Number of staff currently employed at the	100

facility who may have contact with residents:	
Number of individual contractors who have contact with residents, currently authorized to enter the facility:	0
Number of volunteers who have contact with residents, currently authorized to enter the facility:	624

AGENCY INFORMATION	
Name of agency:	Nebraska Department of Correctional Services
Governing authority or parent agency (if applicable):	
Physical Address:	801 West Prospector Place, PO Box 94661, Lincoln, Nebraska - 68522
Mailing Address:	PO Box 94661, Lincoln, Nebraska - 68509
Telephone number:	4024712654

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

Agency-Wide PREA Coordinator Information			
Name:	Danielle Reynolds	Email Address:	danielle.reynolds@nebraska.gov

Facility AUDIT FINDINGS
Summary of Audit Findings
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:

6

- 115.211 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
- 115.213 - Supervision and monitoring
- 115.233 - Resident education
- 115.242 - Use of screening information
- 115.252 - Exhaustion of administrative remedies
- 115.283 - Ongoing medical and mental health care for sexual abuse victims and abusers

Number of standards met:

35

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:	2024-02-11
2. End date of the onsite portion of the audit:	2024-02-12

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 type="radio"/> Yes <input checked="" type="radio"/> No
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AUDITED FACILITY INFORMATION

14. Designated facility capacity:	598
15. Average daily population for the past 12 months:	599
16. Number of inmate/resident/detainee housing units:	6
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:	598
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:	2
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:	7
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:	0
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:	5
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:	15

<p>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</p>	<p>1</p>
<p>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>Of the one inmate who reported sexual abuse who remained at the facility during the onsite review, the investigation was currently under investigation.</p>
<p>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</p>	
<p>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</p>	<p>99</p>
<p>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>624</p>

<p>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>2</p>
<p>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</p>	<p>No text provided.</p>
<p>INTERVIEWS</p>	
<p>Inmate/Resident/Detainee Interviews</p>	
<p>Random Inmate/Resident/Detainee Interviews</p>	
<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>15</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<p> <input type="checkbox"/> Age <input type="checkbox"/> Race <input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input 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 </p>
<p>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</p>	<p>Four days before the onsite review the facility provided targeted and random housing unit rosters. Once the Auditor chose the targeted inmates, random inmates were then chosen by gender and housing unit to ensure each gender was evenly divided between interview numbers and inmates were chosen from each housing unit.</p>

56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	15
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	1
61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	2

<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>After review of targeted rosters, interviews with personnel and inmates, review of inmate files and a tour of the facility this category of targeted inmate did not appear to be in the facility during the onsite review.</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>After review of targeted rosters, interviews with personnel and inmates, review of inmate files and a tour of the facility this category of targeted inmate did not appear to be in the facility during the onsite review.</p>

<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>3</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>9</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>After review of targeted rosters, interviews with personnel and inmates, review of inmate files and a tour of the facility this category of targeted inmate did not appear to be in the facility during the onsite review.</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>1</p>

<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>After review of targeted rosters, interviews with personnel and inmates, review of inmate files and a tour of the facility this category of targeted inmate did not appear to be in the facility during the onsite review.</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>This facility does not utilize segregated housing or isolation.</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>No text provided.</p>
<p>Staff, Volunteer, and Contractor Interviews</p>	
<p>Random Staff Interviews</p>	
<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>12</p>
<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input checked="" type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input type="checkbox"/> Rank (or equivalent)</p> <p><input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>If "Other," describe:</p>	<p>Four days before the onsite review the facility provided rosters of each of the three correctional officer names and schedules. The Auditor chose four names from each shift with staff gender in mind and ensuring staff from each housing unit were chosen, as well.</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

<p>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):</p>	<p>No text provided.</p>
<p>Specialized Staff, Volunteers, and Contractor Interviews</p>	
<p>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.</p>	
<p>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>13</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>78. Were you able to interview the PREA Coordinator?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>79. Were you able to interview the PREA Compliance Manager?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)</p>

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

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

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

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

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

Yes

No

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

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

Yes

No

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

Yes

No

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

Yes

No

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

Yes

No

<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>No text provided.</p>
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Documentation Sampling

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

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

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	3	0	3	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	3	0	3	0

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	1	0	1	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	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
Inmate-on-inmate sexual abuse	1	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0	0
Total	1	0	0	0	0

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

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

Sexual Harassment Investigation Outcomes

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

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

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

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

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

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:	3
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<p>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p>Inmate-on-inmate sexual abuse investigation files</p>	
<p>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>3</p>
<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>

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

Staff-on-inmate sexual harassment investigation files	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0
112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT 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 staff-on-inmate sexual harassment investigation files)
113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.	No text provided.
SUPPORT STAFF INFORMATION	
DOJ-certified PREA Auditors Support Staff	
115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.	<input type="radio"/> Yes <input checked="" type="radio"/> No

Non-certified Support Staff

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

Yes

No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

The audited facility or its parent agency

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

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

Other

Standards
<p>Auditor Overall Determination Definitions</p> <ul style="list-style-type: none"> • Exceeds Standard (Substantially exceeds requirement of standard) • Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period) • Does Not Meet Standard (requires corrective actions)
<p>Auditor Discussion Instructions</p> <p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>

115.211	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	<p>Auditor Overall Determination: Exceeds Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Nebraska Department of Correctional Services Organizational Chart, dated 2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates

3. Correctional Corporals and Case Workers
4. Captain / Security Administrator / PREA Compliance Manager
5. PREA Captain / PREA Coordinator
6. Warden
7. Deputy Director of Prisons Operations / Agency Head

Through interviews with inmates and personnel it is evident that this facility interweaves requirements for this standard in their daily protocols. Both inmates and staff could speak to facility PREA practices and protocols being used as is described in the agency's PREA policies. The PREA Compliance Manager and the PREA Coordinator could attest to having the required time to institute and implement PREA protocols.

Interviews with inmates resulted in the following positive comments.

- 100% of inmates interviewed resulted in them stating they felt sexually safe in the facility.
- Laid back and good spirited here.
- We are made to feel like we are one another's neighbor.
- To be honest, it doesn't even feel like prison here.
- Staff, (male) are very respectable to us, even in the van they make sure we are seated safely.
- Staff and inmates are very open about sexuality here.
- An LEP inmate who used a staff as his translator during his interview exclaimed afterwards 'this is my caseworker, and she is great!'
- I've been here twice, and I've never had any problems.

Onsite Observation:

The facility is comprised of one building with a secured administrative office area, classrooms, five housing units for men and one housing unit for females. Each unit is comprised of hallways with 10 to 12 bedrooms with full doors which are shared by two to four inmates. The facility has multiple cameras in the interior and exterior of the building, each observed to be in working order in the Lieutenants Office. Green PREA audit notices and standardized Prison Rape Elimination Act Reporting and End the Silence flyers were posted throughout living units, hallways, day rooms and areas frequented by facility visitors. In addition, PREA Standards were observed to

be posted in living units for inmate review. Inmate bathrooms are equipped with $\frac{3}{4}$ doors in toileting areas, full curtains in showering areas out of line of sight of cameras and from those passing, by allowing for ultimate privacy. Day rooms are open with large windows to outside recreation yards alleviating blind spots and areas where inmates can be isolated. Laundry areas were observed in hallways with the doors open, each having a camera, and windows to the outside yard.

(a) The Community Corrections Center Lincoln PAQ states the agency has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment in facilities it operates directly or under contract. The facility has a written policy outlining how it will implement the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment. The policy includes definitions of prohibited behaviors regarding sexual abuse and sexual harassment. The policy includes sanctions for those found to have participated in prohibited behaviors. The policy includes a description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of residents.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 5, section 1. A. 1., states, "NDCS will seek to enhance the prevention of prison sexual abuse/assault and sexual harassment by maintaining a zero-tolerance standard for all sexual assault/abuse and sexual harassment on and by inmates. Protecting inmates and safeguarding communities of prison sexual assault/abuse and sexual harassment is a top priority."

(b) The Community Corrections Center Lincoln PAQ states the agency employs or designates an upper-level, agency-wide PREA Coordinator. The PREA Coordinator has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its community confinement facilities.

The facility provided a Nebraska Department of Correctional Services Organizational Chart. The organization chart demonstrates the PREA Captain / PREA Coordinator is in the agency organizational structure and reports directly to the Assistant Deputy Director Intelligence & Investigations who reports directly to the agency Director.

Through such reviews of the facility's standardized PREA postings, open and clear line of sight in all areas of the facility, inmates led to feel as though they were neighbors in a community and being able to be open regarding their sexuality and knowing staff are willing to partner with them, the facility exceeds the standard requirements.

115.212	Contracting with other entities for the confinement of residents
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. State of Nebraska Service Contract Award, Buffalo County Sheriff, dated 7.1.2023 - 6.30.2024 3. State of Nebraska Service Contract Award, Dawson County Sheriff, dated 7.1.2023 - 6.30.2024 4. State of Nebraska Service Contract Award, Hall County Corrections, dated 7.1.2023 - 6.30.2024 5. State of Nebraska Service Contract Award, Lincoln County Sheriff, dated 7.1.2023 - 6.30.2024 6. State of Nebraska Service Contract Award, Phelps County Sheriff, dated 7.1.2023 - 6.30.2024 7. State of Nebraska Service Contract Award, Platte County Sheriff's Department, dated 7.1.2023 - 6.30.2024 8. State of Nebraska Service Contract Aware, Scotts Bluff County, dated 3.1.2023 - 2.28.2024 9. Post Audit: NDCS Memorandum, RE: County Jail Contracts, dated 3.1.2024 10. Post Audit: Quarterly Assessment <p>Interviews:</p> <ol style="list-style-type: none"> 1. Captain / PREA Coordinator 2. Assistant Deputy Director for Classification <p>During the pre-audit phase, the PREA Coordinator conveyed the agency has seven privatized contracts.</p> <p>The interview with the PREA Coordinator demonstrated the agency does not currently house inmates with contracting entities; however, the agency keeps contracts in place in the event their services are needed.</p> <p>The interview with Assistant Deputy Director for Classification demonstrated</p>

contract compliance with PREA standards is not currently monitored beyond review of the annual report and the triannual PREA Audit report.

Action Plan:

- Agency to provide documentation demonstrating contract monitoring is completed each year.
- Appropriate facility personnel to provide a memorandum with a sustainable action plan stating which facility position will monitor how continued quality assurance will be conducted to ensure contract compliance is monitored each year.
- Upload documentation demonstrating system used to monitor compliance to the supplemental files.
- Upload memorandum to the supplemental files.

Post audit the facility provided a memorandum from the Assistant Deputy Director – Classification, regarding County Jail Contracts, stating, “The classification division is responsible for providing oversight of contracts established between county jails and NDCS for temporary housing individuals committed to NDCS in county jail settings. Effective immediately the attached assessment will be completed by NDCS team members from the classification/special services division with each contracted county on a quarterly basis. The assessment lists 17 different procedures which will be verified with supporting documentation. Completed assessments and documentation will be maintained on file by the special services division.”

Post audit the facility provided a Quarterly Assessment listing 17 different areas to be reviewed to ensure ongoing PREA compliance is monitored for each private contract.

(a) The Community Corrections Center Lincoln PAQ states agency has seven contracts with private agencies for confinement services of their inmates.

The agency provided seven individual contracts for services. Each contract, page 12, section 3. a. Conditions of confinement, I., states, “The County jail will provide safe and secure housing for inmates under this agreement in accordance with Nebraska state law and Constitution, federal Constitution, Prison Rape Elimination Act (PREA), and Nebraska Jail Standards requirements. The County will provide documentation as needed.

(b) The Community Corrections Center Lincoln PAQ states all of the above contracts require the agency to monitor the contractor's compliance with PREA standards.

(c) The Community Corrections Center Lincoln PAQ states since August 20, 2012, the agency has not entered into one or more contracts with a private agency or other entity that failed to comply with the PREA standards.

Through such reviews, the facility meets standard requirements.

115.213	Supervision and monitoring
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Auditor Overall Determination: Exceeds Standard

Auditor Discussion

Document Review:

1. Community Corrections Center Lincoln PAQ
2. Community Corrections Center - Lincoln Annual Review of Staffing Assignment and Video Monitoring Plan, dated 2022
3. Staffing Deviation Documentation

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Captain / Security Administrator / PREA Compliance Manager
4. Captain / PREA Coordinator

Interviews with inmates demonstrated staff complete room checks often and announce themselves by knocking on the door, and announcing their gender each time they enter the hallway and bedrooms.

The interview with the PREA Compliance Manager demonstrated facility rounds are

completed and documented during each of the facility's three shifts. The PREA Compliance Manager stated she is very much involved in the staffing plan and has built an IBOT to ensure processes are in place to accomplish each required component as is found in the prison and jails standards. Processes are looked at daily for checks and balances and the administrative teams meet four to five times a year to ensure the staffing plan is constantly kept current.

The interview with the PREA Coordinator demonstrated she meets with each Warden and PREA Compliance Manager annually in February to review and complete facility annual Staffing Assignment and Video Monitoring Plans.

Site Observation:

During the tour cross gender announcements were made each time staff entered a living unit. Documented rounds were observed to be in lock boxes, written in red ink, on each shift, in each area of the facility.

(a) The Community Corrections Center Lincoln PAQ states for each facility, the agency develops and documents a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring to protect residents against sexual abuse. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of residents is 595. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of residents on which the staffing plan was predicated is 595.

The facility provided a Community Corrections Center - Lincoln Annual Review of Staffing Assignment and Video Monitoring plan. The document documents the following components.

1. Generally accepted adult correctional institution practice.
2. Any judicial findings of inadequacy.
3. Any findings of inadequacy from federal investigative bodies.
4. Any findings of inadequacy from internal or external oversight bodies.
5. All components of the facility's physical plant, including blind spots or areas where team members or inmates may be isolated.
6. The composition of the resident population (i.e.-gender rations, risk/need of residents, physical size, Sexual Aggressive Behavior (SAB), Vulnerability to Victimization (VV).

7. The number and placement of supervisory staff.
8. Institutional programs occurring on shifts.
9. Any applicable state or local laws, regulations or standards.
10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse.
11. Any other relevant factors.

The plan is signed and dated by the CCCL PREA Compliance Manager, facility Warden and the NDCS PREA Coordinator.

(b) The Community Corrections Center Lincoln PAQ states each time the staffing plan is not complied with, the facility documents and justifies all deviations from the staffing plan. The PAQ states, "The six most common reasons for deviating from the staffing plan in the last 12 months was due to transfers, sick calls, and vacancies."

The facility provided deviation documentation demonstrating the facility has documented one incident describing the reason the facility deviated from the seven staff members to five for three hours.

(c) The Community Corrections Center Lincoln PAQ states at least once every year the facility, reviews the staffing plan to see whether adjustments are needed in (1) the staffing plan, (2) prevailing staffing patterns, (3) the deployment of video monitoring systems and other monitoring technologies, or (4) the allocation of facility/agency resources to commit to the staffing plan to ensure compliance with the staffing plan. The facility completes a staffing plan annually to ensure continued compliance with each required element of the staffing plan.

Through such reviews of multiple unannounced rounds documented in red ink and maintained in logbooks kept in locked boxes at the end of the hallways in each area of the facility, the facility exceeds the standards requirements.

115.215	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Community Corrections Center Lincoln PAQ
2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022
3. Nebraska Department of Correctional Services Field Training Officer Module Performance Checklist, dated 2.2021
4. Nebraska Department of Correctional Services Staff Training Academy Course Outline: Searches (Pre-Service), dated 11.24.2021
5. Post Audit: PREA Refresher: Prisons and Jails Inmate Privacy / Pat and Safety Search

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Correctional Corporals
4. Case Workers
5. Captain / PREA Coordinator

Interviews with inmates demonstrated searches and urinalysis were completed by same sex staff and each stated these processes are conducted respectfully.

Interviews with Correctional Corporals and Case Workers demonstrated cross-gender searches are not conducted. Correctional Corporals stated when searching a transgender, a female staff will conduct the search of the inmates' breasts and a male staff will conduct the search of an inmate's genitals. Correctional Corporals stated urinalysis testing is conducted with one staff and one inmate inside the search area behind a closed door. Correctional Corporals stated inmates are encouraged to change clothing in their bedrooms with the door shut or in shower areas behind a shower curtain.

The interview with the PREA Coordinator demonstrated the agency current practice for searching transgender inmates is performed by same gender staff as is documented on the transgender driver license.

Site Observation:

During the tour of the facility the Auditor observed the intake area where safety searches and urinalysis testing occurs. Searches and urinalysis testing is conducted in a shower area. There is a sign designating where the search is to take place to ensure the inmate is out of line of sight of other staff and camera view. Searches are always conducted with one staff in the search area with an inmate and one staff directly outside of the search area.

Action plan:

- Facility staff to be retrained on search protocols for transgender and intersex inmates to ensure both gender staff are not completing searches on a transgender or intersex inmate, at the same time.
- Training records of searches to be documented and uploaded to the online audit system.

Post audit the facility provided a PREA Refresher: Prisons and Jails Inmate Privacy / Pat and Safety Search curriculum ensuring correctional personnel are trained in accordance with agency policy 203.01, Security and Control.

Post audit the facility provided staff training rosters to demonstrating 55 correctional personnel were trained on transgender searches.

(a) Community Corrections Center Lincoln PAQ states the facility does not conduct cross-gender strip or cross-gender visual body cavity searches of their residents. In the past 12 months the facility has conducted zero cross-gender strip or cross-gender visual body cavity searches of residents. In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity searches of residents were zero.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 8, section E. 1., states, "Team members shall not conduct cross-gender safety searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. All cross-gender safety searches and cross-gender visual body cavity searches will be documented in an Incident Report. The report shall be maintained by the facility PREA compliance manager.

(b) Community Corrections Center Lincoln PAQ states the facility policy does 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. The number of pat-down searches of female residents that were conducted by male staff was zero.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 8, section E. 2., states, "Team members shall not conduct cross-gender pat searches of female inmates, absent exigent circumstances. All cross-gender pat searches of female inmates will be documented in an Incident Report. The report shall be maintained by the facility PREA compliance manager."

(a) Community Corrections Center Lincoln PAQ states the facility policy requires that all cross-gender strip searches and cross-gender visual body cavity searches be documented. Policy compliance can be found in provision (a) of this standard.

(d) Community Corrections Center Lincoln PAQ states the facility has implemented policies and procedures that enable residents 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). Policies and procedures require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 8, section E. 3., states, "In order to enable inmates to shower, perform bodily functions and change clothing without nonmedical team members of the opposite gender viewing their breasts, buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks, all team members of the opposite gender will announce their presence when entering an inmate housing unit. Written notice to inmates shall be posted prominently in all units indicating team members of the opposite gender may be present at any time."

(e) The Community Corrections Center Lincoln PAQ states the facility has a policy prohibiting staff from searching or physically examining a transgender or intersex resident for the sole purpose of determining the resident's genital status. Such searches have not occurred in the past 12 months.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 9, section E. 4., states, “NDCS shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate’s genital status. If an inmate’s genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.”

(f) The Community Corrections Center Lincoln PAQ states 100 percent of all security staff received training on conducting cross-gender pat-down searches and searches of transgender and intersex residents in a professional and respectful manner, consistent with security needs.

The facility provided a Nebraska Department of Correctional Services Field Training Officer Module Performance Checklist. The performance objective states, “After explanation, demonstration, and practice, trainee will be able to complete a pat search of an Inmate in a professional manner.” Training is affirmed through signature by the FTO and the trainee in attesting certification that proficiency was demonstrated by the above training concerning this task on the date the training was completed.

The facility provided a Nebraska Department of Correctional Services Staff Training Academy Course Outline: Searches (Pre-Service). The course description states, “An introduction to the contraband found in a correctional facility and the utilization of various searches to control it. The key elements of the pat, safety, room, and area will be discussed, and practical exercises will be conducted on pat and room searches. Professional conduct during searches will be emphasized throughout the course.”

Through such reviews, the facility meets standard requirements.

115.216	Residents with disabilities and residents who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Community Corrections Center Lincoln PAQ
2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022
3. Nebraska Department of Correctional Services Field Training Officer Module Performance Checklist, dated 2.2021
4. Nebraska Department of Correctional Services Staff Training Academy Course Outline: Searches (Pre-Service), dated 11.24.2021
5. Post Audit: PREA Refresher: Prisons and Jails Inmate Privacy / Pat and Safety Search

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Correctional Corporals
4. Case Workers
5. Captain / PREA Coordinator

Interviews with inmates demonstrated searches and urinalysis were completed by same sex staff and each stated these processes are conducted respectfully.

Interviews with Correctional Corporals and Case Workers demonstrated cross-gender searches are not conducted. Correctional Corporals stated when searching a transgender, a female staff will conduct the search of the inmates' breasts and a male staff will conduct the search of an inmate's genitals. Correctional Corporals stated urinalysis testing is conducted with one staff and one inmate inside the search area behind a closed door. Correctional Corporals stated inmates are encouraged to change clothing in their bedrooms with the door shut or in shower areas behind a shower curtain.

The interview with the PREA Coordinator demonstrated the agency current practice for searching transgender inmates is performed by same gender staff as is documented on the transgender driver license and birth certificate.

Site Observation:

During the tour of the facility the Auditor observed the intake area where safety searches and urinalysis testing occurs. Searches and urinalysis testing is conducted in a shower area. There is a sign designating where the search is to take place to ensure the inmate is out of line of sight of other staff and camera view. Searches are always conducted with one staff in the search area with an inmate and one staff directly outside of the search area.

Action plan:

- Facility staff to be retrained on search protocols for transgender and intersex inmates to ensure both gender staff are not completing searches on a transgender or intersex inmate, at the same time.
- Training records of searches to be documented and uploaded to the online audit system.

Post audit the facility provided a PREA Refresher: Prisons and Jails Inmate Privacy / Pat and Safety Search curriculum ensuring correctional personnel are trained in accordance with agency policy 203.01, Security and Control.

Post audit the facility provided staff training rosters to demonstrating 55 correctional personnel were trained on transgender searches.

(a) Community Corrections Center Lincoln PAQ states the facility does not conduct cross-gender strip or cross-gender visual body cavity searches of their residents. In the past 12 months the facility has conducted zero cross-gender strip or cross-gender visual body cavity searches of residents. In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity searches of residents were zero.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 8, section E. 1., states, "Team members shall not conduct cross-gender safety searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. All cross-gender safety searches and cross-gender visual body cavity searches will be documented in an Incident Report. The report shall be maintained by the facility PREA compliance manager.

(b) Community Corrections Center Lincoln PAQ states the facility policy does 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. The number of pat-down searches of female residents that were conducted by male staff was zero.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 8, section E. 2., states, "Team members shall not conduct cross-gender pat searches of female inmates, absent exigent circumstances. All cross-gender pat searches of female inmates will be documented in an Incident Report. The report shall be maintained by the facility PREA compliance manager."

(a) Community Corrections Center Lincoln PAQ states the facility policy requires that all cross-gender strip searches and cross-gender visual body cavity searches be documented. Policy compliance can be found in provision (a) of this standard.

(d) Community Corrections Center Lincoln PAQ states the facility has implemented policies and procedures that enable residents 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). Policies and procedures require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 8, section E. 3., states, "In order to enable inmates to shower, perform bodily functions and change clothing without nonmedical team members of the opposite gender viewing their breasts, buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks, all team members of the opposite gender will announce their presence when entering an inmate housing unit. Written notice to inmates shall be posted prominently in all units indicating team members of the opposite gender may be present at any time."

(e) The Community Corrections Center Lincoln PAQ states the facility has a policy prohibiting staff from searching or physically examining a transgender or intersex resident for the sole purpose of determining the resident's genital status. Such searches have not occurred in the past 12 months.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 9, section E. 4., states, “NDCS shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate’s genital status. If an inmate’s genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.”

(f) The Community Corrections Center Lincoln PAQ states 100 percent of all security staff received training on conducting cross-gender pat-down searches and searches of transgender and intersex residents in a professional and respectful manner, consistent with security needs.

The facility provided a Nebraska Department of Correctional Services Field Training Officer Module Performance Checklist. The performance objective states, “After explanation, demonstration, and practice, trainee will be able to complete a pat search of an Inmate in a professional manner.” Training is affirmed through signature by the FTO and the trainee in attesting certification that proficiency was demonstrated by the above training concerning this task on the date the training was completed.

The facility provided a Nebraska Department of Correctional Services Staff Training Academy Course Outline: Searches (Pre-Service). The course description states, “An introduction to the contraband found in a correctional facility and the utilization of various searches to control it. The key elements of the pat, safety, room, and area will be discussed and practical exercises will be conducted on pat and room searches. Professional conduct during searches will be emphasized throughout the course.”

Through such reviews, the facility meets standard requirements.

115.217	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:

1. Community Corrections Center Lincoln PAQ
2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022
3. Nebraska Department of Correctional Services, Teletype Operations Policy 010.06, dated 12.31.2022
4. Nebraska Department of Correctional Services, Team Member Selection Policy 112.03, dated 6.30.2023
5. Nebraska Department of Correctional Services Personal Information for Security Check, dated 4.2023
6. Reference Check Form, dated 11.2013

Interviews:

1. Human Resource Specialist

Interviews with Human Resource Specialist demonstrated background checks administrative adjudication questions are completed for applicant and contractor before hire and during the promotion process. The Human Resource Specialist stated the Central Office provides employee quarterly reports to ensure criminal background checks are completed in a timely manner, every five years. The Human Resource Specialist stated she completes institutional reference checks on all applicable applicants and the PREA Coordinator completes requests for institutional reference checks on past employees.

Site Observation:

Utilizing the PREA Community Confinement Documentation Review Employee File/ Records template, 20 employees and two contractor files reviewed demonstrated each had background checks upon hire and within five years, thereafter. File review demonstrated administrative adjudication documentation and institutional reference checks had been completed for applicable employees and contractors.

(a) The Community Corrections Center Lincoln PAQ states agency policy prohibits hiring or promoting anyone who may have contact with residents and prohibits enlisting the services of any contractor who may have contact with residents who: (1) 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); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly

or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 10, section G., states, "NDCS shall not hire, promote or enlist the services of any contractor who may have contact with inmates who has engaged in sexual/assault in a prison, jail, lockup, community confinement facility, juvenile facility or other institution; 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, coercion or if the victim did not consent or was unable to consent; and/or who has been civilly or administratively adjudicated to have engaged in such activity. Any incidents of sexual harassment will be taken into consideration. Refer to Policy 112.03, Team Member Selection Policy, for additional details regarding the hiring and promoting processes."

(b) The Community Corrections Center Lincoln PAQ states agency policy requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents. Policy compliance can be found in provision (a) of this standard.

(c/f/h) The Community Corrections Center Lincoln PAQ states the agency policy requires that before it hires any new employees who may have contact with residents, it (a) conducts criminal background record checks, and (b) consistent with federal, state, and local law, 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, the number of people hired who may have contact with residents who have had criminal background record checks was 10.

Nebraska Department of Correctional Services, Teletype Operations Policy, page 7, section XX Background Checks, states, "All persons entering NDCS facilities, including any employee/volunteer/contractor or visitor are subject to a background investigation including but not limited to criminal history (Attachment D), driving record, and wanted person files. In addition, inquiries may include checking intelligence files, NCJIS, inmate telephone and visiting records, and conducting follow-up interviews."

The facility provided a Nebraska Department of Correctional Services Personal Information for Security Check demonstrating criminal background checks are

completed upon hire and periodically throughout employment or affiliation with NDCS.

The facility provided a Nebraska Department of Correctional Services, Reference Check Form. Page 2 of the form includes the following questions:

1. Has the candidate engaged in sexual abuse in prison, jail, lockup, community confinement facility, juvenile facility or other institutions?
2. Has the candidate ever been convicted of engaging or attempting to engage in sexual activity in the community facility by force, overt, or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?
3. Has the candidate ever been civilly or administratively adjudicated to have engaged in the activity described in question 14 or 15?
4. Has the candidate ever had substantiated allegations of sexual harassment made against him/her in a prison, jail, lockup, community confinement facility, juvenile facility or other institution?
5. Has the candidate ever had substantiated allegations of sexual harassment made against him/her in the community?

(d) The Community Corrections Center Lincoln PAQ states the agency policy requires that a criminal background record check be completed before enlisting the services of any contractor who may have contact with residents. In the past 12 months, the number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with residents was 2. Policy compliance can be found in provision (a) of this standard.

(e) The Community Corrections Center Lincoln PAQ states agency policy requires that either criminal background record checks be conducted at least every five years for current employees and contractors who may have contact with residents or that a system is in place for otherwise capturing such information for current employees.

Nebraska Department of Correctional Services, Team Member Selection Policy 112.03, page 14, section II, 4., states, "NDCS will conduct security checks of current team members every five years."

	<p>(g) The Community Corrections Center Lincoln PAQ agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.</p> <p>Nebraska Department of Correctional Services, Team Member Selection Policy 112.03, page 13, section 3. d., states, “Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.”</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.218	Upgrades to facilities and technology
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ <p>Interviews:</p> <ol style="list-style-type: none"> 1. Lieutenant 2. Captain / Security Administrator / PREA Compliance Manager 3. Deputy Director of Prisons Operations / Agency Head <p>An informal interview with the Lieutenant demonstrated the cameras are rarely down and when inoperable they are restored right away, or a work order is filed with the Central Office ensuring the camera is repaired within 30 days.</p> <p>The interview with the PREA Compliance Manager demonstrated the facility had completed a remodel of the facility to include an addition to for female inmates.</p> <p>The interview with the Agency Head demonstrated vulnerable inmates are housed where each can be observed under cameras, near monitoring stations and ensuring staffing patterns appropriate for supervision and technology enhances supervision.</p>

	<p>Site Observation:</p> <p>During the onsite review cameras were reviewed in the Lieutenants office to include all living areas and ensuring cameras cannot see into inmate bathrooms, seclusion rooms having grey boxes on cameras to ensure inmates could not be viewed when toileting, the facility warehouse and the kitchen storage areas.</p> <p>(a) The Community Corrections Center Lincoln PAQ states the agency has acquired a new facility or made substantial expansions or modifications to existing facilities since the last PREA audit. The PAQ states, “Remodel of 400 bed unit.”</p> <p>(a) The Community Corrections Center Lincoln PAQ states the 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.</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.221	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Facility checklist for Incidents of Sexual Assault Sexual Abuse and Sexual Harassment, dated 7.2023 4. Nebraska Sexual Assault Protocol, dated 2019 5. Nebraska Statute 81-1429.03. 6. Nebraska Department of Correctional Services Memorandum, RE: Community Hospital MOU, dated 12.4.2023 7. Advocacy Attempt Memorandum, dated 12.12.2023

8. Nebraska Department of Correctional Services, Correctional Investigators' Duties and Reporting of Criminal Activities Policy 215.01, dated 12.31.2023

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Registered Nurse

Interviews with inmates demonstrated none had made a report of sexual abuse or had a need for a forensic medical examination.

The interview with the facility Registered Nurse demonstrated inmates alleging sexual abuse are provided forensic medical examinations at the Bryan Medical Center and the nurse would make all required notifications.

Site Observation:

There facility has not experienced a need for a forensic medical examination in the past 12 months.

(a) The Community Corrections Center Lincoln PAQ states the agency/facility is responsible for conducting administrative sexual abuse investigations (including resident-on-resident sexual abuse or staff sexual misconduct). The agency/facility is not responsible for conducting criminal sexual abuse investigations (including resident-on-resident sexual abuse or staff sexual misconduct). The Nebraska State Patrol would conduct sexual abuse investigations. When conducting a sexual abuse investigation, the agency investigators follow a uniform evidence protocol.

The facility provided a Facility Checklist for incidents of sexual assault, sexual abuse and sexual harassment. The checklist documents the following information.

- Date and time reported
- Date and time of incident
- First staff on Scene with title
- Means of Discovery/Reporting
- Alleged Victim - Name and Number

- Alleged Perpetrator-Name/Number
- Witnesses of the Incident – Name and Number
- Steps to ensure a coordinated response for Sexual Assault, Sexual Abuse and Sexual Harassment
- Notifications / contacts made
- Form completed by: Name/title/signature

(b) The Community Corrections Center Lincoln PAQ states the protocol being developmentally appropriate for youth is not applicable as the facility does not house youthful offenders. The protocol was adapted from or otherwise based on the most recent edition of the DOJ’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.

The facility provided a Nebraska Medical Sexual Assault Protocol, Nebraska Attorney General’s Office. The protocol speaks to the following information.

- Definitions
- Nebraska Statutes Relating to Sexual Assault
- Statute of Limitations
- Trauma Informed Care
- Nebraska Sexual Assault Kit and Reimbursement
- Evidence Collection Steps

(c) The Community Corrections Center Lincoln PAQ states the facility offers all residents who experience sexual abuse access to forensic medical examinations. Forensic medical examinations are offered without financial cost to the victim. Where possible, examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). When SANEs or SAFEs are not available, a qualified medical practitioner performs forensic medical examinations. The facility documents efforts to provide SANEs or SAFEs. The number of forensic medical exams conducted during the past 12 months is zero. The number of SANEs/SAFEs during the past 12 months was zero.

The facility provided the Nebraska Statute 81-1429.03, which states, "The full out-of-pocket cost or expense that may be charged to a sexual assault victim in connection with a forensic medical examination shall be paid from the Sexual Assault Payment Program Cash Fund. A report of a forensic medical examination shall not be remitted to the patient or his or her insurance for payment."

The facility provided a Nebraska Department of Correctional Services Memorandum from the Captain/PREA Coordinator, to the PREA Auditor, regarding the Community Hospital MOU 115.21, stating, "NDCS has not had a Memorandum of Understanding with the community hospital since 2015. This is due to the Community Hospitals that we utilize are required to have a SANE program that consists of SANE nurses that are available to conduct the SANE examinations. The State Sane Coordinator conducts the training for all Nebraska Hospitals."

(d) The Community Corrections Center Lincoln PAQ states the facility attempts to make available to the victim a victim advocate from a rape crisis center, either in person or by other means. The efforts are documented. If and when a rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff member from a community-based organization or a qualified agency staff member.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 11, section I., states, "In the event that an inmate is sent to the community hospital for a SANE examination, the facility Shift Supervisor will ask the inmate if they would like a victim advocate present at the hospital for support through the SANE examination. If the inmate indicates that they would like a victim advocate present, the facility Shift Supervisor will notify the hospital that a victim advocate was requested and will document on the Facility Checklist for Incidents of Sexual Assault/Abuse (Attachment E). The hospital will contact an advocate from a rape crisis center to be present. If an advocate is not available to provide victim advocate services, the facility shall make available a qualified individual from a community-based organization or qualified agency team member. This person shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual abuse/assault and forensic examination issues in general."

The facility provided advocacy attempts demonstrating the agency is currently working with the Urban Institute in partnership with the National Sexual Violence Resource Center and Just Detention International in a national project to provide facilities with sexual abuse advocates who otherwise cannot secure memorandums with local and or state advocacy resources.

The facility provides mental health staff when a qualified staff member is needed in the absence of a victim advocate from a rape crisis center.

(e) The Community Corrections Center Lincoln PAQ states if requested by the victim, a victim advocate, qualified agency staff member, or qualified community-based organization staff member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information, and referrals.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 11, section I., states, "As requested by the victim, the victim advocate, qualified agency team member or qualified community-based organization staff member shall accompany and support the victim through the forensic examination process and investigatory interviews and shall provide emotional support, crisis intervention information and referrals."

(f) The Community Corrections Center Lincoln PAQ states if the agency is not responsible for investigating allegations of sexual abuse and relies on another agency to conduct these investigations, the agency has requested that the responsible agency follow the requirements of paragraphs §115.221 (a) through (e) of the standards.

Nebraska Department of Correctional Services, Correctional Investigators' Duties and Reporting of Criminal Activities Policy 215.01, page 2, section I. D., states, "NDCS investigators have authority to conduct investigations into alleged acts by an incarcerated individual potentially constituting misdemeanors or felonies but not alleged acts by an incarcerated individual constituting murder, attempted murder, arson (specific to determining the point of origin) or in-custody incarcerated individual deaths."

Through such reviews, the facility meets standard requirements.

115.222	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Community Corrections Center Lincoln PAQ
2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022

Interviews:

1. Acting Assistant Warden / Investigator

The interview with the Investigator demonstrated she is one of the facility administrative investigators and the agency criminal investigators and or the Nebraska State Patrol will complete criminal investigations.

Site Observation:

The facility has experienced seven allegations of sexual abuse, two of those allegations were referred for criminal investigations and one of those investigations remains open.

(a) The Community Corrections Center Lincoln 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 seven allegations of sexual abuse and sexual harassment that were received. In the past 12 months, the number of allegations resulting in an administrative investigation was five. In the past 12 months, the number of allegations referred for criminal investigation was two.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 11, section J, states, "NDCS shall ensure that an administrative or criminal investigation is completed for all allegations of sexual assault/abuse and sexual harassment, including third party and anonymous reports, in a prompt, thorough and objective manner. Any outside entities responsible for conducting administrative or criminal investigations of sexual assault/abuse and sexual harassment shall have in place a policy governing the conduct of such investigations that complies with PREA standards and shall provide training pertaining to the investigation of sexual assault/abuse and sexual harassment in confinement settings to the NDCS criminal investigators and agency investigators who conduct such investigations. When outside agencies investigate sexual assault/abuse and sexual harassment, NDCS shall cooperate with outside investigators and endeavor to remain informed about the progress of the investigation."

(b/c) The Community Corrections Center Lincoln PAQ states the agency has a policy that requires that allegations of sexual abuse or sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations, including the agency if it conducts its own investigations, unless the allegation does not involve potentially criminal behavior. The agency policy can be found at Search | NDCS - Nebraska Department of Correctional Services.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 24, section 2, states, "If the allegation appears to be criminal in nature the PREA Coordinator will consult with the Investigation Coordinator for assignment to NDCS Criminal investigators and/or the Nebraska State Patrol. Where sexual assault or sexual abuse is alleged by a Team Member refer to NDCS Policy 215.01. If referred back to the facility to investigate, investigators who have received special training in sexual assault and abuse investigations will be utilized. The PREA Coordinator will notify the facility PREA compliance manager and assign the investigation a case number in the Investigator's Case Management Data Base. The case number will be given to the facility PREA compliance manager so he or she can keep track of the investigation. The PREA compliance manager will meet with the victim and inform them of the open investigation and if the staff member or inmate has been reassigned to a different unit. Once completed, the investigation will be sent to the PREA Coordinator for review and appropriate action. If during the institutional investigation it is determined a crime has been committed, the investigator will stop the investigation and contact the PREA Coordinator, and the Investigation Coordinator will be immediately notified."

Through such reviews, the facility meets standard requirements.

115.231	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Nebraska Department of Correctional Services Sexual Assault/Abuse PREA PowerPoint Course Overview, dated 10.19.2022

4. Monthly PREA Refresher Trainings, dated 2023
5. PREA of 2003: Information For Those With Direct And Indirect Contact With Inmates, Training Acknowledgment, not dated

Interviews:

1. Correctional Corporals
2. Case Workers
3. Captain / PREA Coordinator

Interviews with Correctional Corporal and Case Workers demonstrated each were aware of and received initial and annual PREA training. Staff reported training is delivered to them through monthly staff meetings, quarterly email refreshers, the learning management system, and during annual in-service training.

The interview with the PREA Coordinator demonstrated due to a past directive from the agency Director during the time of COVID, the agency had been completing training every 18 months through 2022. This directive has been corrected and employees have returned to annual training, with monthly refresher email notifications since January of 2022.

Site Observation:

Through utilization of the PREA Audit Community Confinement Documentation Review Employee File / Records Review template and the facility training spreadsheet demonstrated, 20 of 20 employee training files reviewed demonstrate annual training had been completed in 2023.

(a) The Community Corrections Center Lincoln PAQ states the agency trains all employees who may have contact with residents on the agency's zero-tolerance policy for sexual abuse and sexual harassment.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 12, section K., states,

1. "Staff Training and Development will offer training (both pre-service and in-service classes) for all team members who may have contact with inmates based on the contents of this Policy and its attachments. Lesson plans will be based on this policy and its attachments and the federal PREA standards and any subsequent

revisions thereof. (ACRS-7B-17, ACRS-7B-17-1)

2. Pre-service and In-service team member training will consist of the following and will include gender specific approaches to working with male and female inmates.
 - a. Zero-tolerance for sexual abuse/assault and sexual harassment.
 - b. Fulfilling responsibilities with regard to prevention, detection, reporting and response policies and procedures for sexual abuse/assault and sexual harassment.
 - c. Inmates' right to be free from sexual abuse/assault and sexual harassment.
 - d. Inmates' and staffs' rights to be free from retaliation for reporting sexual abuse/assault and sexual harassment.
 - e. Dynamics of sexual abuse/assault and sexual harassment in confinement.
 - f. Common reactions of sexual abuse/assault and sexual harassment victims.
 - g. Detecting and responding to signs of threatened and actual sexual abuse/assault and sexual harassment.
 - h. Avoiding inappropriate relationships with inmates including sexual abuse/assault and sexual harassment.
 - i. Communicating effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, and gender nonconforming inmates about sexual abuse/assault and sexual harassment.
 - j. Complying with relevant laws related to mandatory reporting of sexual abuse/assault to outside authorities.
 - k. Conducting cross-gender pat searches (male staff will only pat search female inmates in exigent circumstances) and searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs (Pre-service and as needed.)"

The facility provided a Nebraska Department of Correctional Services Sexual Assault/Abuse PREA PowerPoint Course Overview. The course overview includes the following.

- PREA Standards
- Zero Tolerance
- Prevention, detection, reporting and response
- Investigation process and discipline

- Fears of inmate reporting and inmate methods of reporting
- Victim advocacy
- Avoiding inappropriate relationships with inmates
- Prevention planning
- Responsive planning
- Training and Education
- Screening for risk of sexual victimization and abusiveness
- Reporting methods
- Official response following an inmate report
- Investigations
- Discipline
- Medical and Mental Health care
- Data collection and review
- Audits

(b) The Community Corrections Center Lincoln PAQ states training is tailored to the gender of the residents at the facility. Employees who are reassigned from facilities housing the opposite gender are given additional training. The facility has both gender inmates, all staff are trained to work with each gender. Policy compliance can be found in provision (a) of this standard.

(c) The Community Corrections Center Lincoln PAQ states between trainings the agency provides employees who may have contact with residents with refresher information about current policies regarding sexual abuse and harassment. The frequency with which employees who may have contact with residents receive refresher training on PREA requirements annually.

The facility provided monthly PREA refresher training for each month of the year, January through December. Training includes the following topics.

- January: PREA Basics – Dynamics of Sexual Abuse in Detention – Detecting Signs of Sexual Abuse
- February: Handling Disclosures of Abuse – Responding to Victimized

	<p>Incarcerated Individuals</p> <ul style="list-style-type: none"> · March: Professional Communication and Boundaries – Appropriate Interactions – Compromised Professionalism · April: Inmate Privacy – Pat and Safety Searches · May: Ways Incarcerated Individuals Can Report · June: Helping Inmates Who Primarily Speak Another Language · July: Duty to Report: Knowledge, Suspicion, or Information · August: First Responder Duties · September: Encouraging Inmates to Report Sexual Abuse · November: Investigations · December: Zero Tolerance Policy <p>(d) The Community Corrections Center Lincoln PAQ states the agency documents that employees who may have contact with residents understand the training they have received through employee signature or electronic verification.</p> <p>The facility provided Information for Those With Direct And Indirect Contact With Inmates, Training Acknowledgment. Through printed name and signature, employees attest to the following: I acknowledge that I have been trained on and understand the Prison Rape Elimination Act, NDCS policy and procedures and the Department's zero tolerance standard for all forms of sexual abuse. I also acknowledge that I will report any findings of sexual abuse immediately.</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.232	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:
	1. Community Corrections Center Lincoln PAQ

2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022
3. Nebraska Department of Correctional Services, Community Partner Orientation Training PowerPoint, not dated
4. Nebraska Department of Correctional Services, Volunteer Orientation Handbook, dated 6.2023
5. Inmate Sexual Assault/Abuse Agreement for Volunteers and Contractors, not dated
6. Post Audit: NDCS Memorandum, RE: 115.35 c-d / 115.235a c-d, dated 3.8.2024
7. Post Audit: Twi Medical and Mental Health Training and Certificates

Interviews:

1. Substance Abuse / Mental Health Provider / Contractor
2. Transition Coordinator / Volunteer
3. Captain / Security Administrator / PREA Compliance Manager

Interviews demonstrated each volunteer and contractor is very much aware of the agency's zero tolerance policy. Both state they were trained in the agency policy and reporting requirements before they had access to inmates. The contractor reported she would report information to the Shift Supervisor, or the Captain and the volunteer reported she would report to any staff, the Program Manager, Assistant Warden, and the Captain to ensure everyone was aware. The volunteer stated the facility staff are very good to her and spoke highly of the communication efforts with her agency and the treatment of the clients in their care.

The interview with the PREA Compliance Manager demonstrated the volunteer once worked with the Department and she has stayed in good standing with the agency over the years. The facility and the volunteer have an obvious positive working relationship ensuring the best care for the inmates in their care.

Action Plan:

- Medical and mental health providers to complete specialized training for medical and mental health staff.
- Upload training records demonstrating medical and mental health staff and contractors have completed specialized training required for medical and mental health staff.
- Appropriate facility personnel to provide a memorandum with a sustainable

action plan stating which agency and facility position will monitor how continued quality assurance will be conducted to ensure medical and mental health contractors receive specialized training in specified time limit after the hiring process and or shortly thereafter.

- Upload memorandum to the supplemental files.

Post audit the facility provided Medical and Mental Health staff training certificates demonstrating each contractor has completed the required specialized training requirements.

Post audit the facility provided a NDCS memorandum addressed to the PREA Auditor from the agency Medical Director regarding standard 115.35 c-d / 115.235a c-d, with the following action plan. "NDCS has developed an on-line pre-service course for all new Medical and Mental health staff to include contracted staff to attend prior to having contact with any incarcerated individual. The NDCS Staff training academy will enroll all new contracted staff into the online course, as well as all new applicable employees will complete this training. The course will be reflected on the staff members' training record. These courses included the NDCS Zero-Tolerance Policy. This information will be tracked and monitored by the Health Services Administrator. Further, the NDCS Medical Director has issued the attached memorandum to Health Services team members outlining this request."

(a) The Community Corrections Center Lincoln PAQ states all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response. The number of volunteers and contractors, who may have contact with residents, who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response is 624.

The facility provided a Nebraska Department of Correctional Services, Community Partner Orientation Training PowerPoint with the following training components.

- The eight points of the Volunteer Pledge
- The three points of the Volunteer Waiver
- The PREA Agreement
 - o Prison Rape Elimination Act
 - o Definitions
 - o Agency policy

	<ul style="list-style-type: none"> o Sexual Assaults on Incarcerated People o Reporting o Responsibilities <ul style="list-style-type: none"> · The 17 topics from the Volunteer Training Record. <p>The facility provided a Nebraska Department of Correctional Services, Volunteer Orientation Handbook. Chapter 14 provides information regarding Inmate Sexual Assault/Abuse Information for Community Partners and Contractors.</p> <p>(b) The Community Corrections Center Lincoln PAQ states the level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with residents. All volunteers and contractors who have contact with residents have been notified of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.</p> <p>(c) The Community Corrections Center Lincoln PAQ states the agency maintains documentation confirming that volunteers and contractors who have contact with residents understand the training they have received.</p> <p>The facility provided an Inmate Sexual Assault/Abuse Agreement for Volunteers and Contractors. Through printed name and signature, community partners attest to the following: “I acknowledge that I have read the Inmate Sexual Assault/Abuse information for Volunteers and Contractors and have been trained on and understand the Department’s zero-tolerance standard for sexual abuse, harassment and retaliation. I agree that I will report any findings of such incidents immediately.”</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.233	Resident education
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Document Review:
	1. Community Corrections Center Lincoln PAQ

2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022
3. Inmate Sexual Orientation PowerPoint Presentation, not dated
4. Nebraska Department of Corrections PREA Inmate Orientation Acknowledgement, not dated
5. Nebraska Department of Correctional Services Sexual Assault Awareness Brochure in English and Spanish, dated 4.2023

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Correctional Corporals
4. Case Managers
5. Captain / Security Administrator / PREA Compliance Manager

Interviews with inmates demonstrated each were aware of their knowledge of PREA, reporting options to include utilizing the PREA hotline, reporting to a family member, contacting the Ombudsman, sending a grievance to the Director at the Central Office, reporting directly to a staff member or by completing an Inmate Incident Report. All inmates interviewed stated they were educated on the agency zero tolerance policy, rights, and reporting information within the first hour of arriving at the facility.

The interview with the Case Manager demonstrated inmates are educated just as soon as they are done being searched upon arriving at the facility. The Case Manager ensures each are educated through discussion and a PowerPoint presentation on the agency zero tolerance policy, ways to report internally and externally, and their rights. The Case Manager explained each inmate signs an acknowledgement attesting to their understanding of the education presented to them.

The interview with the PREA Compliance Manager demonstrated a member of the Executive Administrative Team meets with all new intakes the day after intake to talk with them regarding facility protocols, ensuring each are aware of the collaborative efforts between staff and inmates, making them feel comfortable and reiterating PREA protocols confirming each understands options available to them.

Site Observation:

Files review was completed by utilizing the PREA Audit – Community Confinement Facilities Documentation Review – Resident Files/Records template. 29 of the 30 inmates interviewed have been in the program under 12 months and each had received PREA education on the day of admission into the facility.

(a) The Community Corrections Center Lincoln PAQ states residents receive information at time of intake about the zero-tolerance policy, how to report incidents or suspicions of sexual abuse or harassment, their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. The number of residents admitted during the past 12 months who were given this information at intake was 843.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 13, section M. 1, states, “During the intake process at all NDCS facilities, inmates shall receive information explaining NDCS’ zero tolerance policy regarding sexual abuse/assault, sexual harassment, and retaliation for reporting such incidents; how to report incidents or suspicions of sexual abuse/assault, sexual harassment, and retaliation for reporting such incidents; and informed of the designated facility PREA compliance manager.”

(b) The Community Corrections Center Lincoln PAQ states the facility provides residents who are transferred from a different community confinement facility with refresher information referenced in 115.233(a)-1. The number of residents transferred from a different community confinement facility during the past 12 months was 206. The number of residents transferred from a different community confinement facility, during the past 12 months, who received refresher information was 206.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 13, section M. 4., states, “Upon transfer to any facility, information specific to that facility’s procedures, to the extent that they differ from the previous facility, shall be provided to the inmate.”

(c) The Community Corrections Center Lincoln PAQ states Resident PREA education is available in formats accessible to all residents, including those who are limited

English proficient, deaf, visually impaired, or otherwise disabled and those who have limited reading skills.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 13, section M. 3, states, "Information will be provided in formats accessible to all inmates, including those who are deaf or hard of hearing, visually impaired or otherwise disabled; those who have intellectual, psychiatric or speech disabilities; as well as to inmates who have limited reading skills and who are limited English proficient."

Nebraska Department of Corrections Inmate Sexual Orientation PowerPoint presentation. The presentation includes the following discussion.

- Your Rights
- Prohibited behaviors
- Ways to keep yourself safe
- How to report
- Medical and Mental Health care
- Investigation Process
- False Reporting
- Zero Tolerance - The Nebraska Department of Correctional Services

(d) The Community Corrections Center Lincoln PAQ states the agency maintains documentation of resident participation in PREA education sessions.

The facility provided a PREA Inmate Orientation acknowledgement. Inmate's attest to the following through their signature and date. "I acknowledge that I have received information regarding my rights to be free from sexual assault, sexual abuse, sexual harassment and to be free from retaliation for reporting such incidents. I have also been informed of the Nebraska Department of Correctional Services policy and procedures for responding to such incidents."

(e) The Community Corrections Center Lincoln PAQ states the agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, resident handbooks, or other written formats.

	<p>The facility provided a Nebraska Department of Correctional Services Sexual Assault Awareness Brochure in English and Spanish. The brochure includes the following information.</p> <ul style="list-style-type: none"> · Nebraska Department of Correctional Services Zero Tolerance Policy · Incarcerated individual on Incarcerated individual or Team member on Incarcerated individual Sexual Behavior · If you are sexually assaulted · Self-Protection · Nebraska State Statute <p>Through such reviews of the facility educating inmates on the day of admission and executive team members reiterating PREA education efforts and ensuring each inmate understands the agency PREA zero tolerance policy, rights and reporting options, the facility exceed standard requirements.</p>
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115.234	Specialized training: Investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Specialized Investigative Training: PREA Investigating Sexual Abuse in a Confinement Setting, PowerPoint Presentation, not dated 4. Nebraska Department of Correctional Services, Certificate of Completion, PREA Investigator Training, dated 2.8.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Acting Assistant Warden / Investigator <p>The interview with the Investigator demonstrated she had completed specialized</p>

training for investigators through in-person instruction with the agency PREA Coordinator.

Site Observation:

During the pre-audit phase training records for the Investigator were uploaded to the online audit system.

(a) The Community Corrections Center Lincoln PAQ states agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 14, section N. 1., states, "In addition to the general training provided to all team members, investigators will receive training in conducting investigations in confinement settings, to include:

- a. Techniques for interviewing victims of sexual assault/abuse.
- b. Proper use of Miranda and Garrity warnings.
- c. Sexual assault/abuse evidence collection in confinement settings.
- d. Criteria and evidence required to substantiate a case for administrative action or prosecution referral."

The facility provided Specialized Investigative Training: PREA Investigating Sexual Abuse in a Confinement Setting. The course overview includes the following.

- Background of PREA
- Investigation basics
- Working with victims
- Trauma informed approach
- Interviewing
- False Reports
- Practical exercise

	<p>(b) Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Training is conducted through the Nebraska Department of Correctional Services.</p> <p>(b) The Community Corrections Center Lincoln PAQ states the agency maintains documentation showing that investigators have completed the required training. Documentation is maintained by the PREA Coordinator. The number of investigators currently employed who have completed the required training is one.</p> <p>The facility provided a Nebraska Department of Correctional Services, Certificate of Completion, PREA Investigator Training demonstrating the facility's' one investigator completed training on 2.8.2018.</p> <p>Through such reviews the facility meets standard requirements.</p>
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115.235	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. National PREA Resource Center Specialized Training: PREA Medical and Mental Care Standards Notification of Curriculum Utilization, dated 12.2013 4. National PREA Resource Center, Specialized Medical and Mental Health Training, Certificates of Completion 5. Post Audit: NDCS Memorandum, RE: 115.35 c-d / 115.235a c-d, dated 3.8.2024 6. Post Audit: Nine Medical and Mental Health Training and Certificates <p>Interviews:</p>

1. Registered Nurse
2. Substance Abuse Mental Health Contractor

Interviews with the Registered Nurse and the mental health contractor demonstrated each had not completed the specialized training required for medical and mental health staff.

Action Plan:

- Medical and mental health providers to complete specialized training for medical and mental health staff.
- Upload training records demonstrating medical and mental health staff and contractors have completed specialized training required for medical and mental health staff.
- Appropriate facility personnel to provide a memorandum with a sustainable action plan stating which agency and facility position will monitor how continued quality assurance will be conducted to ensure medical and mental health contractors receive specialized training in specified time limit after the hiring process and or shortly thereafter.
- Upload memorandum to the supplemental files.

Post audit the facility provided nine Medical and Mental Health staff training certificates demonstrating each have completed the required specialized training requirements.

Post audit the facility provided a NDCS memorandum addressed to the PREA Auditor from the agency Medical Director regarding standard 115.35 c-d / 115.235a c-d, with the following action plan. "NDCS has developed an on-line pre-service course for all new Medical and Mental health staff to include contracted staff to attend prior to having contact with any incarcerated individual. The NDCS Staff training academy will enroll all new contracted staff into the online course, as well as all new applicable employees will complete this training. The course will be reflected on the staff members' training record. These courses included the NDCS Zero-Tolerance Policy. This information will be tracked and monitored by the Health Services Administrator. Further, the NDCS Medical Director has issued the attached memorandum to Health Services team members outlining this request."

(a) The Community Corrections Center Lincoln PAQ states the agency has a policy related to the training of medical and mental health practitioners who work

regularly in its facilities. The number of all medical and mental health care practitioners who work regularly at this facility and have received the training required by agency policy is 14. The facility has five assigned medical staff; however, there are eight medical staff who float, if needed.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 14, section O. 1., states, "All full and part-time medical and mental health care practitioners to include contracted staff will receive training in the following:

- a. Detecting and assessing signs of sexual assault/abuse and sexual harassment.
- b. Preserving physical evidence of sexual assault/abuse.
- c. Responding effectively and professionally to victims of sexual assault/abuse and sexual harassment.
- d. Reporting allegations or suspicions of sexual assault/abuse and sexual harassment."

The facility provided the National PREA Resource Center Specialized Training: PREA Medical and Mental Care Standards Notification of Curriculum Utilization curriculum. The curriculum demonstrates the following modules are trained.

- Module 1: Detecting and Assessing Signs of Sexual Abuse and Harassment
- Module 2: Reporting and the PREA Standards
- Module 3: Effective and Professional Responses
- Module 4: The Medical Forensic Examination and Forensic Evidence Preservation

(b) The Community Corrections Center Lincoln PAQ states agency medical staff at this facility do not conduct forensic medical exams.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 21, section b., states, "Inmate victims of sexual assault or inmates alleging they are victims of sexual assault which occurred within the past 120 hours will be referred immediately, under appropriate security provisions, to a Community Hospital for initial treatment and gathering of evidence without financial cost to the inmate. All forensic examinations shall be at a community hospital. If it is determined a forensic examination will be conducted Department medical staff may provide only emergency medical care prior to transport."

	<p>(c) The Community Corrections Center Lincoln PAQ states the agency maintains documentation showing that medical and mental health practitioners have completed the required training.</p> <p>The facility provided 14 National PREA Resource Center, Specialized Medical and Mental Health Training, Certificates of Completion demonstrating each of the facility’s medical and mental health staff have completed the required specialized training.</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.241	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Identification of Potential Aggressors and Victims / Survivors Policy 201.03, dated 7.31.2023 3. Nebraska Inmate Case Management System PREA Assessment <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. Unit Case Worker <p>Interviews with random and targeted inmates demonstrated risk screening questions had been asked during the first hour of admission and again within a month of the admission process.</p> <p>The interview with the Unit Case Worker demonstrated all inmates admitted into the facility are screened within the first day of arrival and again within 30 days of</p>

admission. The Unit Case Worker assesses inmates age, build, vulnerability, prior offenses to include violent, non-violent, and sexual, civil immigration, mental and physical disabilities, and sexual identification. The Unit Case Worker stated risk screenings are completed with inmates in a one-on-one private setting. The Unit Case Manager explained the facility has not had a transgender or intersex inmate admitted into the facility for the past 12 months; however, systems were in place to allow for special accommodations to include a private shower place and time if needed.

Site Observation:

Through utilization of the PREA Community Confinement Documentation Review Resident File / Records Review template, 12 of 12 offender risk screenings were completed within the 72-hour time frame and 12 of 12 offender reassessment were completed within the 30-day requirement.

(a) The Community Corrections Center Lincoln PAQ states the agency has a policy that requires screening (upon admission to a facility or transfer to another facility) for risk of sexual abuse victimization or sexual abusiveness toward other residents.

Nebraska Department of Correctional Services, Identification of Potential Aggressors and Victims / Survivors, Policy 201.3, page 2, section I., states, "All inmates shall be assessed during an intake screening at reception facilities and upon each transfer to another facility for their risk of being sexually assaulted, sexually abused or sexually harassed by other inmates and/or their potential to be sexually abusive or sexually harassing toward other inmates. This screening shall take place within 72 hours of arrival at the facility and be conducted using an objective screening instrument. NDCS shall implement appropriate controls on the dissemination of this information within facilities in order to ensure sensitive information is not exploited to an inmate's detriment by staff or other inmates."

Nebraska Department of Correctional Services, Identification of Potential Aggressors and Victims / Survivors, Policy 201.3, page 3-4, section C., states, "The intake PREA screening assessment shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: The Factors to be considered high risk are. Factors that shall always be considered high priority for sexual victimization include:

1. No previous incarceration
2. A previous or current conviction for sexual assault or sexual abuse against a child included on the criminal history check.

3. States they identify as a transgender male, transgender female, intersex, or gender non-conforming.
4. States their sexual orientation is gay, lesbian, bisexual.
5. States they have been sexually assaulted, sexually abuse or sexually harassed while being incarcerated.
6. States they are fearful of being sexually assaulted, sexually abused and sexually harassed while being incarcerated.

Other factors that collectively may increase the potential for being a victim /survivor of sexual assault, sexual abuse or sexual harassment include:

1. Criminal history is of a non-violent nature.
2. Is under the age of 21 or over the age of 65
3. Is small in stature (Male is shorter than 5' 6", female is shorter than 5' 2")
4. Is small in weight (Male weighs less than 140 pounds, female weighs less than 115 pounds)
5. Has a thin build
6. Was a victim/survivor of sexual assault or sexual abuse in the community
7. Has fears for their sexual safety while being incarcerated
8. Stated sexual orientation is other
9. Stated their gender identity is other
10. How do others perceive your sexual orientation
11. Self-reports a medical, developmental, or mental health condition.
12. Self-reports a medical, developmental, or mental health condition affects their daily activity.

The initial intake PREA screening assessment shall consider prior acts of sexual assault/abuse sexual harassment and prior convictions for violent offenses, and history of prior institutional violence of sexual assault/abuse and sexual harassment as known NDCS, in assessing inmates for risk of being sexually abusive."

(b) The Community Corrections Center Lincoln PAQ states the agency policy requires that residents be screened for risk of sexual victimization or risk of sexually

abusing other residents within 72 hours of their intake. The number of residents 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 residents within 72 hours of their entry into the facility was 843. Policy compliance can be found in provision (a) of this standard.

(c-e) The Community Corrections Center Lincoln PAQ states the risk assessment is conducted using an objective screening instrument.

The facility provided computer screen prints of the agency PREA risk assessment.

Vulnerable OPO Factors

- Committed Name
- Legal Name
- Rcvd Dt
- TRD
- Rec Cter
- Loc
- Prev ID
- VW Notifiers
- DOB
- PED
- Date of Parole
- Admission Status
- Violation Description
- Committed Cnty
- Sentence Begin Dt
- Min Sentence
- Max Sentence
- Man Min Sentence

Add PREA Assessment:

- FAC
- Date & Time Received at FAC
- Date and Time Screened
- Reason for Assessment

Criminal History Check:

- Who completed the Criminal History check: Name/Date?
- Has the individual been previously incarcerated?
- How many times
- Is the criminal history nonviolent only?
- Number of convictions that are of a violent nature to include sexual violence.
- How many convictions of sexual violence?
- Is the current conviction sexual violence?
- How many convictions of sexual violence?
- Is there a conviction for sexual violence against a child?
- Is there a conviction for sexual violence against an adult
- NDCS history of perpetrated violence for sexual assault/abuse and or harassment (Misconduct reports) explain

Inmate questions:

- Have you been previously incarcerated?
- How many times?
- Number of convictions that are of a violent nature include sexual violence.
- How many convictions for sexual violence?
- How many convictions for sexual violence against a child?
- How many convictions for sexual violence against an adult?

Gender/Sexuality Questions

- What is your gender Identity?
- What are your preferred pronouns?
- Do you want a separate shower time?
- What is your sexual orientation?
- How do others perceive your sexual orientation?

Physical Characteristics

- Age of individual
- Height of individual
- Weight of Individual
- Build of Individual

Sexual Abuse Survival

- Are you willing to tell me if you've ever been a survivor/victim of sexual assault or abuse?
- Are you survivor of sex assault abuse?
- Can you tell me if the sexual assault/abuse happened in: an institution/ the community?

Mental health referral completed?

Personal Fears

- Do you have any fears for your safety while incarcerated?
- What are those fears
- Inmate fears include sexual assault

Medical, Developmental or Mental Health

- Do you believe you have any medical, developmental, or mental health conditions?
- What are your medical, developmental, or mental health condition?
- Does this health problem, or condition limit your daily activities?
- Do you want to talk to a medical/mental health staff member regarding PREA and your safety?
- Medical/mental health referral completed

NICaMS provides final scores for the risk assessment to include the following.

- Victimization Total
- High Priority Victimization Total
- Aggressor Total
- High Priority Aggressor Total

(e) The Community Corrections Center Lincoln PAQ states the policy requires that the facility reassess each resident's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the resident's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening. The number of residents 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 within 30 days after their arrival at the facility based upon any additional, relevant information received since intake was 843.

Nebraska Department of Correctional Services, Identification of Potential Aggressors and Victims / Survivors, Policy 201.3, page 5, section II., states, "After 14 days and within 30 days from the inmate's arrival at the intake/reception facility, designated facility staff will reassess the inmate's risk of victimization or abusiveness based upon any additional relevant information received since the inmate's arrival. Designated facility staff shall also complete a reassessment within 72 hours of arrival when returns from an outside hospital after an admission of 24 hours or more without direct supervision (i.e., medical furlough), returns from remand, parole or abscond status, upon request or after a significant incident. After 14 days and within 30 days of this reassessment event, a follow-up assessment shall also be completed by designated facility staff."

(f) The Community Corrections Center Lincoln PAQ states the policy requires that a resident'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 resident's risk of sexual victimization or abusiveness.

Nebraska Department of Correctional Services, Identification of Potential Aggressors and Victims / Survivors, Policy 201.3, page 6, section V., states, "The PREA screening assessment should be reviewed and a new PREA screening assessment must be completed as necessary by designated unit management team members when warranted due to a request, bi-annual transgender review and after a significant incident of sexual assault/abuse or sexual harassment or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. Each PREA screening assessment will be posted to NICaMS Data Entry and Inquiry. For tracking purposes, a new entry shall be made rather than editing a previous entry."

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

Nebraska Department of Correctional Services, Identification of Potential Aggressors and Victims / Survivors Policy 201.03, page 5, second paragraph, states, "Inmates may not be disciplined for refusing to answer or not disclosing complete information in response to the aforementioned questions."

(h) Nebraska Department of Correctional Services, Identification of Potential Aggressors and Victims / Survivors, Policy 201.3, page 7, first paragraph, states, "NDCS shall implement appropriate controls on the dissemination within the facility of responses to questions asked to ensure that sensitive information is not exploited by staff or other inmates to the inmate's detriment."

Through such reviews, the facility meets standard requirements.

Auditor Overall Determination: Exceeds Standard

Auditor Discussion

Document Review:

1. Community Corrections Center Lincoln PAQ
2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022

Interviews:

1. Targeted Inmates
2. Unit Case Manager
3. Captain / Security Administrator / PREA Compliance Manager
4. Captain / PREA Coordinator
5. Warden

Interviews with nine gay, lesbian and bisexual inmates demonstrated they were respected in the facility, were happy with their unit and room assignments, and were not sexually harassed by other inmates or staff.

The Unit Case Manager explained the facility has not had a transgender or intersex inmate admitted into the facility for the past 12 months; however, systems were in place to allow for special accommodations to include a private shower place and time if needed.

The interview with the PREA Compliance Manager demonstrated vulnerable inmates are housed upfront in the living units and placed in designated beds in unit and bay settings to ensure they are closer to cameras and staff offices. The PREA Compliance Manager states staff pay close attention and staff how each inmate is housed to ensure inmates feel safe and don't have to be moved around.

The interview with the PREA Coordinator demonstrated quarterly gender dysphoria meetings take place with facilities to discuss transgender and intersex inmates coming into and transferring within programs to ensure their needs are met. In addition, the PREA Coordinator reviews all six-month reviews once those reviews are completed by designated facility personnel.

The interview with the Warden demonstrated staff conduct follow up meetings to ensure each feels safe in their current living unit/room assignment and if not, the facility administration finds them an assignment where each feels safe.

Site Observation:

Review of classification protocols and offender placement dedicated rooms demonstrated thought and consideration is placed on offenders who could be considered victims and or aggressors in order to ensure sexual safety throughout the facility.

(a) The Community Corrections Center Lincoln PAQ states the agency/facility uses information from the risk screening required by §115.241 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 15, section Q. 1., states, "Facilities will utilize information from the risk screening to inform housing, bed, work, education and program assignments with the goal of keeping those inmates who are at high risk of being sexually victimized from those who are at high risk of being sexually abusive. The institution's physical plant, staffing levels, size, and number of programs and services, as well as activity schedules, will determine the extent to which separation is possible or contacts minimized. Computer tracking of high-risk inmates within an institution may be utilized. Facilities will make individualized determinations about how to ensure the safety of each inmate."

(b) The Community Corrections Center Lincoln PAQ states the agency/facility makes individualized determinations about how to ensure the safety of each resident. Policy compliance can be found in provision (a) of this standard.

(c-d) The Community Corrections Center Lincoln PAQ states the agency/facility makes housing and program assignments for transgender or intersex residents in the facility on a case-by-case basis.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11,

page 15, section Q. 2., states, “In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, NDCS shall consider on a case-by-case basis whether a placement would ensure the inmates health and safety, and whether the placement would present management or security problems.”

(e) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 15, section Q. 5., states, “Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.”

(f) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 15-16, section Q. 6., states, “NDCS shall not place lesbian, gay, bisexual, transgender or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.”

Through such reviews of the facility and agency efforts to ensure the LGBTI community feels safe and accepted into the facility, exceeds standard requirements.

115.251	Resident reporting
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Zero Tolerance Flyer, not dated 4. Verbal Report <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates

2. Targeted Inmates
3. Correctional Corporal
4. Case Managers

Interviews with inmates demonstrated options used to report include the PREA hotline, the Ombudsman, telling a staff member, mailing a PREA compliant and or grievance to the Department Central Office, contacting family or staff through their tablet, or completing an Inmate Informational Report.

Interviews with staff demonstrated each would accept reports verbally, written reports with or without an inmate's name and or through a third party.

Site Observation:

During the tour, green audit notices, Zero Tolerance and End the Silence postings were observed in English and Spanish in each living unit, hallway, dayroom, and visitation area. The PREA hotline was dialed from an inmate phone and the call was successfully connected. A message was left on the voicemail and the PREA Coordinator was able to demonstrate the message came to her cell phone directly after the call was made.

During the tour the mailroom was observed in a room that doubles as a supply room. When mail is in the room porters are not allowed. Once mail is sorted security staff deliver to inmates who then sign for legal mail through a receipt and mail is opened to ensure the envelope does not contain contraband.

During the tour, the records room was observed to be locked. Inmate jackets include the signed acknowledgement of receipt and understanding of PREA education received and completed risk assessments are only available in the agency NICaMS database.

(a) The Community Corrections Center Lincoln PAQ states the agency has established procedures allowing for multiple internal ways for residents to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other residents or staff for reporting sexual abuse and sexual harassment; and (c) staff neglect or violation of responsibilities that may have contributed to such incidents.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 16-17, section 8. 1. a-c., states, "Inmates shall be provided with multiple ways to privately report sexual assault/abuse, sexual harassment, and retaliation by other inmates or staff for reporting sexual assault/abuse, sexual harassment, staff neglect and/or violation of responsibilities that may have contributed to such incidents.

a. Inmates may verbally report the incident to any staff member.

b. Inmates may utilize the established hotline number (855-623-7360) to report an allegation anonymously. This number shall be included on all inmates Inmate Calling System (ICS) automatically. The number is a generic pin for all inmates 0-111-111-111 and speed dial 08#. These calls shall not be subject to monitoring. Upon receipt of a voice message, a system generated email is forwarded to the PREA Coordinator. See How To Dial Hotlines (Attachment C) for directions on dialing the PREA Hotline.

c. Inmates may report the incident in writing through an Inmate Interview Request or Grievance form."

(b) The Community Corrections Center Lincoln PAQ states the agency provides at least one way for residents to report abuse or harassment to a public or private entity or office that is not part of the agency. The PAQ states, "The inmate population could contact the Ombudsman's office if they chose too. The Ombudsman's office is set up as a speed dial on the inmates calling system." Policy compliance can be found in provision (a) of this standard."

(c) The Community Corrections Center Lincoln 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.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 16-17, section 17. 3., states, "Staff will accept all reports made verbally, in writing, anonymously, from other inmates and from third parties outside NDCS. Verbal reports will be promptly documented."

The facility provided Zero Tolerance flyers in English and Spanish providing information on how to report sexual abuse and sexual harassment internally and externally with dialing instructions.

The facility provided a verbal report from a facility Lieutenant demonstrating verbal reports are documented as a 'PREA Allegation', marked as 'Confidential' and filed

	<p>with the facility.</p> <p>(d) The Community Corrections Center Lincoln PAQ states the agency has established procedures for staff to privately report sexual abuse and sexual harassment of residents.</p> <p>Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 16-17, section 17. 4., states, “Staff have the option of privately reporting sexual assault/abuse and sexual harassment of inmates and retaliation against inmates and staff by directly notifying the captain/PREA coordinator (402-479-5660) or utilizing the established hotline number (855-623-7360).”</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.252	Exhaustion of administrative remedies
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Nebraska Department of Correctional Services, Grievance Form Step Two, Central Office Appeal Form, dated 2.1997 4. Nebraska Department of Correctional Services Sexual Abuse Incident Review 5. Nebraska Department of Correctional Services Response and Reasons for Decision Reached <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. Captain / Security Administrator / PREA Compliance Manager

Interviews with inmates demonstrated each were aware they could report PREA through the facility grievance system. Inmates reported grievances could be obtained by asking a staff. Inmates reported if they did not feel comfortable turning in the grievance to facility staff, they could mail it to the Department Director at the Central Office.

The interview with the PREA Compliance Manager demonstrated the facility allows inmates to mail grievances to the Central Office if they do not feel comfortable having the grievance answered by facility staff.

Site Observation:

Grievance boxes were observed to be located in living units and the visitation room.

(a) The Community Corrections Center Lincoln PAQ states the agency does have an administrative procedure for dealing with resident grievances regarding sexual abuse.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 17-18, section T., states, "Inmates will not be disciplined for filing a grievance related to alleged sexual assault/abuse or sexual harassment unless the facility demonstrates the grievance was deliberately filed in bad faith.

NDCS does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual assault/abuse or sexual harassment. Applicable time limits to any portion of a grievance that does not allege an incident of sexual assault/abuse or sexual harassment will be followed per policy.

An inmate is not required to use any informal grievance process (i.e., an inmate may submit a Step I Grievance without an Informal Grievance attached) or otherwise attempt to resolve an alleged incident of sexual assault/abuse or sexual harassment with staff. An inmate who alleges sexual assault/abuse or sexual harassment may file a grievance without submitting it to a staff member who is the subject of the complaint. A grievance will not be referred to a staff member who is the subject of the complaint.

A final response to the grievance will be issued within 90 days of the initial filing.

This does not include time consumed by inmates preparing an administrative appeal. An extension of up to 70 days may be requested if there is insufficient time to make an appropriate decision. Inmates will be notified in writing of the extension and be provided with a date by which the decision will be made. If the inmate does not receive a response or notification of extension, he or she may consider the absence of a response to be a denial at that level.

An inmate may also file an emergency grievance if he or she feels there is a substantial risk of imminent sexual abuse/assault.

The emergency grievance will immediately be forwarded to the Shift Supervisor, who will take immediate corrective action. An initial response shall be provided within 24 hours and a final decision will be issued within five calendar days. The initial response and final decision will serve as documentation determining whether the inmate is at substantial risk of imminent sexual abuse/assault and the action taken in response to the emergency grievance.”

(b) The Community Corrections Center Lincoln PAQ states the agency policy or procedure allows a resident to submit a grievance regarding an allegation of sexual abuse at any time, regardless of when the incident is alleged to have occurred. Policy compliance can be found in provision (a) of this standard.

(c) The Community Corrections Center Lincoln PAQ states the agency's policy and procedure allows a resident 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 a resident grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint. Policy compliance can be found in provision (a) of this standard.

(d) The Community Corrections Center Lincoln PAQ states the agency policy and procedure requires that 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, the number of grievances filed that alleged sexual abuse was one. In the past 12 months, the number of grievances alleging sexual abuse that reached final decision within 90 days after being filed was zero. Policy compliance can be found in provision (a) of this standard.

The facility provided a Nebraska Department of Correctional Services, Grievance

Form Step Two, Central Office Appeal Form. The grievance form demonstrates inmates complete a Step 2 complaint to indicate the grievance is classified for PREA.

The facility provided a Sexual Abuse Incident Review demonstrating an investigation was completed due to the grievance submittal. Due to the length of time in between the grievance and the SAIR the agency provided the following explanation. "We learned of the incident from the grievance and the investigation was completed May 25, 2023. Wasn't signed off from central office till 7-21-23 the report got lost in the review process, so a new one was sent around for review. The reason for the delay in on getting the investigation back to the facility for a SAIR to be completed."

The facility provided a Nebraska Department of Correctional Services Response and Reasons for Decision Reached demonstrating the grievance was resolved within 30 days.

(e) The Community Corrections Center Lincoln PAQ states agency policy and procedure permit third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of residents. Agency policy and procedure requires that if a resident declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the resident decision to decline. The number of grievances alleging sexual abuse filed by residents in the past 12 months in which the resident declined third-party assistance, containing documentation of the resident decision to decline was zero. Policy compliance can be found in provision (a) of this standard.

(f) The Community Corrections Center Lincoln PAQ states the agency has a policy and established procedures for filing an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse. Agency policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse requires an initial response within 48 hours. The number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months was zero. The agency's policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse requires that a final agency decision be issued within 5 days. The number of grievances alleging substantial risk of imminent sexual abuse filed in the past 12 months that reached final decisions within 5 days was zero. Policy compliance can be found in provision (a) of this standard.

(g) The Community Corrections Center Lincoln PAQ states the agency has a written policy that limits its ability to discipline a resident for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the resident filed the grievance in bad faith. In the past 12 months, the number of resident grievances alleging sexual abuse that resulted in disciplinary action by the agency against the resident for having filed the grievance in bad faith was zero. Policy compliance can be found in provision (a) of this standard.

Through such reviews of inmates being educated on the option to send grievances to the Department Director, the facility exceeds standard requirements.

115.253	Resident access to outside confidential support services
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Advocacy Attempt Memorandum, dated 12.12.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. Captain / PREA Coordinator <p>Interviews with inmates demonstrated they were aware of advocacy services and the purpose of the services advocates provide.</p> <p>The interview with the PREA Coordinator demonstrated inmates would be partnered with a facility and or agency mental health provider as the agency has been unable to secure an agreement with an advocate agency; however, the Department is currently working with Just Detention in their efforts to secure national advocate</p>

contacts.

(a) The Community Corrections Center Lincoln PAQ states the facility provides residents with access to outside victim advocates for emotional support services related to sexual abuse. The facility provides residents with access to such services by giving residents mailing addresses and telephone numbers (including toll-free hotline numbers where available) for local, state, or national victim advocacy or rape crisis organizations. The facility provides residents with access to such services by enabling reasonable communication between residents and these organizations in as confidential a manner as possible. The PAQ states, "NDCS currently does not have a MOU with a rape crisis center. However, when the inmate goes the community hospital for a SANE examination the hospital contacts a victim advocate to be present."

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 18-19, section U., states, "NDCS shall maintain or attempt to enter into a memorandum of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse. The agency shall maintain copies of agreements or documentation showing attempts to enter into such an agreement.

In the event that a victim advocate is needed for an incident of sexual assault, the facility shall make available or attempt to make available to the victim a victim advocate from a rape crisis center. If a victim advocate from a rape crisis center is not available to provide victim advocate services, the facility shall make available a qualified staff member from a community-based organization or qualified agency staff member. This person shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general. The facility will document efforts to secure services from rape crisis centers on the Facility Checklist for Incidents of Sexual Assault/Abuse (Attachment E). As requested by the victim, the victim advocate, qualified agency staff member or qualified community-based organization staff member shall accompany and support the victim through the forensic examination process and investigatory interviews and shall provide emotional support, crisis intervention, information and referrals.

If requested by the victim, he or she will be allowed to contact his or her emergency contact or an immediate family member via a staff assisted telephone call. The staff assisted call shall be no longer than 15 minutes in duration. Staff will document the call, or attempted call, on an Incident Report."

(b) The Community Corrections Center Lincoln PAQ states the facility informs residents, prior to giving them access to outside support services, of the extent to which such communications will be monitored.

The facility provides mental health staff when a qualified staff member is needed in the absence of a victim advocate from a rape crisis center.

(c) The Community Corrections Center Lincoln PAQ states the agency or facility maintains memorandum of understanding (MOUs) or other agreements with community service providers that are able to provide residents with emotional support services related to sexual abuse.

The facility provided an Advocacy Attempt Memorandum from the NDCS PREA Coordinator, regarding Standard 115.53 C-4 advocacy attempts for 2022, stating, "On July 8th, 2022, NDCS signed a Memorandum of understanding with the Women's Center for Advancement. On February 10, 2022, NDCS received a letter from the Women's Center for Advancement. Stating WCA is terminating the MOU effective March 22, 2022.

- On March 29, 2022, The NDCS PREA Coordinator reached out to bridge from violence to attempt to enter into an MOU for advocacy care.

- On July 16, 2022, The NDCS PREA Coordinator reached out to YWCA to attempt to enter into an MOU for advocacy care.

- On September 28, 2022, The NDCS PREA Coordinator reached out to The Trevor Project to attempt to enter into an MOU for advocacy care.

- On September 28, 2022, The NDCS PREA Coordinator reached out to encourage advocacy to attempt to enter into an MOU for advocacy care.

- o Encourage was interested had a zoom meeting on October 28, 2022

- o Sent MOU example on 11-8-2022."

The facility provided information demonstrating the Nebraska Department of Correctional Services is currently working with the Urban Institute on the national advocacy project in hopes to secure a national and or regional advocate.

The facility provided a Nebraska Department of Correctional Services Memorandum

	<p>from the Captain / PREA Coordinator, to the PREA Auditor, regarding Standard 115.53, stating, “NDCS currently does not have a MOU with a rape crisis center. However, when the inmate goes to the community hospital for a SANE examination the hospital contacts a victim advocate to be present.</p> <p>In the event NDCS enters into a MOU with a RAPE crisis center the below information will be part of the MOU and information will be given to the incarcerated population. “</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.254	Third party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. Correctional Corporals 4. Case Workers 5. Captain / Security Administrator / PREA Compliance Manager <p>Interviews with inmates demonstrated they were aware they could report through a trusted adult in the community.</p> <p>Interviews with personnel demonstrated each would accept any type of report regarding allegations received through a third party.</p>

Site Observation:

During the facility tour, the agency third party information was observed in the visitation area in the facility.

(a) The Community Corrections Center Lincoln PAQ states the agency or facility provides a method to receive third-party reports of resident sexual abuse or sexual harassment. The agency or facility publicly distributes information on how to report resident sexual abuse or sexual harassment on behalf of residents. The PAQ states, third party reporting is accessible through <https://corrections.nebraska.gov/about/prison-rape-elimination-act-0> and. <https://corrections.nebraska.gov/about/prison-rape-elimination-act/ndcs-prea-reporting-form>.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 19, section V., states, "Third Party includes fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual assault/assault and sexual harassment and shall also be permitted to file such requests on behalf of the inmate. Options include, but are not limited to

- a. Hotline number (855) 623-7360
- b. Submitting an online reporting form. Procedures for third party reporting can be found on the NDCS website.
- c. PREA hotline on the inmate calling system generic PIN 0-111-111-111 speed dial 08#."

On 12.24.2023 at 3:44 pm MST, this Auditor sent the following third-party test to the link above. "This is Karen Murray, your PREA Auditor testing the third-party reporting here on this website. Could you please respond to this test and explain protocols that are followed when you receive a third-party report via this web address?" On 12.26.2023, a response was received from the agency PREA Coordinator, stating, "Good morning, Karen, I received the below email Sunday. I would talk with the facility that the report was referring to for follow-up with the victim. Then would open an investigation based on the information that was provided."

Through such reviews, the facility meets standard requirements.

115.261	Staff and agency reporting duties
	<p data-bbox="280 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="280 264 564 300">Auditor Discussion</p> <p data-bbox="280 340 545 376">Document Review:</p> <ol data-bbox="280 412 1422 560" style="list-style-type: none"> <li data-bbox="280 412 963 448">1. Community Corrections Center Lincoln PAQ <li data-bbox="280 483 1422 560">2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 <p data-bbox="280 667 437 703">Interviews:</p> <ol data-bbox="280 739 1214 1061" style="list-style-type: none"> <li data-bbox="280 739 593 775">1. Random Inmates <li data-bbox="280 810 600 846">2. Targeted Inmates <li data-bbox="280 882 670 918">3. Correctional Corporals <li data-bbox="280 954 545 990">4. Case Workers <li data-bbox="280 1025 1214 1061">5. Captain / Security Administrator / PREA Compliance Manager <p data-bbox="280 1097 1430 1214">Interviews with the personnel and inmates demonstrated each actively practices and understood the importance of immediately reporting all allegations of sexual abuse and sexual harassment.</p> <p data-bbox="280 1326 526 1361">Site Observation:</p> <p data-bbox="280 1397 1439 1514">The facility has received four allegations of sexual abuse and one allegation of sexual harassment verbally to staff. Each allegation was referred for investigation on the day the allegation was reported.</p> <p data-bbox="280 1626 1445 1993">(a) The Community Corrections Center Lincoln 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 it is part of the agency. The agency requires all staff to report immediately and according to agency policy retaliation against residents 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>Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 19-20, section W., states, “All NDCS staff are required to report immediately and according to policy any knowledge, suspicion or information regarding:</p> <ol style="list-style-type: none"> 1. An incident of sexual assault/abuse or sexual harassment that occurred in a facility, whether it is part of the agency. 2. Retaliation against inmates or staff who reported such an incident. 3. Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Medical and mental health staff are obligated to report sexual assault/abuse and inform inmates of their duty to report and the limitations of confidentiality at the initiation of services. If the alleged victim is under 18 years old or considered a vulnerable adult, the allegations will be reported to the Department of Health and Human Services under applicable mandatory reporting laws. Staff shall not reveal any information related to a sexual assault/abuse report to anyone other than to the extent necessary as specified in NDCS policy, to make treatment, investigations, and other security decisions.” <p>(b) The Community Corrections Center Lincoln PAQ states, apart from reporting to designated supervisors or officials and designated state or local services 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. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.262	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 <p>Interviews:</p>

	<ol style="list-style-type: none"> 1. Correctional Corporals 2. Case Workers 3. PREA Captain / PREA Coordinator 4. Warden <p>Interviews with facility personnel demonstrated knowledge of any type of allegation, regardless of how reported is taken seriously and immediately reported to supervisory staff, agency criminal investigators or the Nebraska State Police, where appropriate. Staff clearly articulated separating, preserving and reporting for any allegation received.</p> <p>(a) The Community Corrections Center Lincoln PAQ states when the agency or facility learns that a resident is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the resident. In the past 12 months, the number of times the agency or facility determined that a resident was subject to a substantial risk of imminent sexual abuse was eight.</p> <p>Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 20, section X, states, "When NDCS learns that an inmate is subject to a substantial risk of imminent sexual assault/abuse, it shall take immediate action to protect them and assess and implement appropriate protective measures without unreasonable delay."</p> <p>Through such reviews the facility meets standard requirements.</p>
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115.263	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Nebraska Department of Correctional Services, Incident Report

Interviews:

1. Warden
2. Deputy Director of Prisons Operations / Agency Head

The interview with the Warden demonstrated that she was aware that upon receiving an allegation that a resident was sexually abused while confined at another facility, she had the responsibility to contact the Warden at the facility from which the allegation was reported in addition to the PREA Coordinator to ensure all related PREA processes were completed in accordance with agency protocols.

The interview with the Agency Head demonstrated all sexual assault allegations are referred to the Nebraska State Patrol and are coordinated through the agency PREA Coordinator, facility PREA Compliance Manager, and criminal investigators.

(a) The Community Corrections Center Lincoln PAQ states the agency has a policy requiring that, upon receiving an allegation that a resident 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. During the past 12 months, the number of allegations the facility received that a resident was abused while confined at another facility was one.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 20, section Y, states, "Within 72 hours of receipt of an allegation an inmate was sexually abused while confined at another facility, the receiving warden/designee shall notify the warden/designee where the incident was alleged to have occurred and the captain/PREA coordinator. Such notification shall be documented. The captain/PREA coordinator will ensure an investigation is completed according to policy."

The facility provided a Nebraska Department of Correctional Services, Incident Report demonstrating staff reported and documented a disclosure of sexual abuse incident that took place at another agency facility. An email notification demonstrates the incident report was communicated to the receiving facility.

(b) The Community Corrections Center Lincoln PAQ states agency policy requires the facility head to provide such notification as soon as possible, but no later than 72 hours after receiving the allegation. Policy compliance can be found in provision

	<p>(a) of this standard.</p> <p>(c) The Community Corrections Center Lincoln PAQ states the agency or facility documents that it has provided such notification within 72 hours of receiving the allegation. Policy compliance can be found in provision (a) of this standard.</p> <p>(d) The Community Corrections Center Lincoln PAQ states the agency or facility policy requires that allegations received from other facilities and agencies are investigated in accordance with the PREA standards. In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities was zero. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.264	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Corporals 2. Case Workers <p>Interviews with Correctional Corporals and Case Workers demonstrated each were aware of their first responder responsibilities and spoke to preserving evidence in the area where the allegation may have occurred, the separation of victims and aggressors, ensuring neither had access to water, and or changing of clothes. The Correctional Corporals and Case Workers placed a huge emphasis on ensuring the victim was taken to a safe place and made to feel safe.</p>

(a) The Community Corrections Center Lincoln PAQ states the agency has a first responder policy for allegations of sexual abuse. The policy requires that, upon learning of an allegation that a resident was sexually abused, the first security staff member to respond to the report shall be required to separate the alleged victim and abuser. The policy requires that, upon learning of an allegation that a resident was sexually abused, the first security staff member to respond to the report shall be required to preserve and protect any crime scene until appropriate steps can be taken to collect any evidence. The policy requires that, upon learning of an allegation that a resident was sexually abused and the abuse occurred within a time period that still allows for the collection of physical evidence, the first security staff member to respond to the report shall be 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. The policy requires that, upon learning of an allegation that a resident was sexually abused and the abuse occurred within a time period that still allows for the collection of physical evidence, the first security staff member to respond to the report shall be required to ensure that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

In the past 12 months, zero allegations occurred where an inmate was sexually abused was one.

Of these allegations, the number of times the first security staff member to respond to the report separated the alleged victim and abuser was one.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 20-21, section Z. 1., states, "Upon learning of an allegation an inmate was sexually assaulted, the first security staff member (team members primarily responsible for the supervision and control of inmates, including but not limited to custody, housing unit, mental health, recreation, maintenance, teachers, etc.) to respond to the report shall be required to:

1. Separate the victim and abuser and ensure that the victim is safe.
2. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence.
3. Security staff and non-security staff that respond to an incident will request the alleged victim and ensure the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing/showering, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating if the abuse occurred within a time period that allows for evidence collection (120 hours); and notify the Shift Supervisor immediately."

	<p>(b) The Community Corrections Center Lincoln 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 a resident was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder was zero. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.265	Coordinated response
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Facility checklist for Incidents of Sexual Assault Sexual Abuse and Sexual Harassment, dated 2.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Captain / PREA Coordinator <p>Interviews with the PREA Coordinator demonstrated each facility utilizes a Facility Checklist for each incident of sexual abuse and sexual harassment.</p> <p>Site Observation:</p> <p>Review of the Facility Checklist for Incidents of Sexual Assault Sexual Abuse and Sexual Harassment demonstrates clear direction to staff to ensure first responder duties are fulfilled.</p> <p>(a) The Community Corrections Center Lincoln PAQ states the facility has developed a written institutional plan to coordinate actions taken in response to an</p>

incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 22, section AA., states, "A forensic examination shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. This person shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general. The facility will document efforts to provide SAFEs or SANEs on the Facility Checklist for Incidents of Sexual Assault/Abuse (Attachment E).

NDCS medical staff will meet with the victim to conduct the medical protocol and the nurse treatment protocol-43. The community Hospital will be notified by phone of the need for a SANE exam. If an inmate requests a victim advocate to be present the Community Hospital, NDCS shall contact a victim advocate from a rape crisis center. With the inmates consent the forensic examination at the community hospital will include the collection of evidence from the victim, using a rape kit approved for this purpose. (ACI-6C-14)

Mental Health staff will be contacted and the inmate will be placed on 15 minute checks until seen by mental health staff for an evaluation for all alleged incidents of sexual assault (defined as contact between the penis and the vulva or the penis and the anus, including penetration, however slight; contact between the mouth and the penis, vulva or anus; or penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument) that occurred within the past 120 hours. Mental health staff shall assess the need for crisis intervention counseling and long-term follow-up."

The facility provided a Facility Checklist for incidents of sexual assault, sexual abuse and sexual harassment. The checklist documents the following information.

- Date and time reported
- Date and time of incident
- First staff on Scene with title
- Means of Discovery/Reporting
- Alleged Victim - Name and Number

	<ul style="list-style-type: none"> · Alleged Perpetrator-Name/Number · Witnesses of the Incident - Name and Number · Steps to ensure a coordinated response for Sexual Assault, Sexual Abuse and Sexual Harassment · Notifications / contacts made · Form completed by: Name/title/signature <p>Through such reviews, the facility meets standard requirements.</p>
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115.266	Preservation of ability to protect residents from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Labor Contract Between the State of Nebraska and Protective Services, Fraternal Order of Police, Nebraska Protective Services, Lodge 88, dated 7.1.2023 - 6.30.2025 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Deputy Director of Prisons Operations / Agency Head <p>The interview with the Agency Head demonstrated the Department of Administrative Services have completed negotiations having the ability through agency policy and contract language to move, discipline and take appropriate action for reasons related to PREA.</p> <p>(a) The Community Corrections Center Lincoln PAQ states the agency, facility, or any other governmental entity is 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</p>

	<p>later.</p> <p>Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 22, section BB., states, “NDCS shall not enter into any collective bargaining agreement or other agreement that limits 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. NDCS is not restricted from entering into or renewing agreements that govern the conduct of the disciplinary process or whether a no-contact assignment imposed pending the outcome of an investigation shall be expunged from or retained in the staff member’s personnel file following a determination the allegation of sexual abuse/assault is not substantiated.”</p> <p>The facility is currently entered into a collective bargaining agreement. The agreements include the following:</p> <ul style="list-style-type: none"> · The State of Nebraska and Protective Services, represented by Fraternal Order of Police, Nebraska Protective Services, Lodge 88 (FOP 88) <p>Through such reviews, the facility meets standard requirements.</p>
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115.267	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Captain / Security Administrator / PREA Compliance Manager <p>The interview with the PREA Compliance Manager demonstrated once an allegation is received, she explains retaliation processes to the victim and ensures the victim understands they can report to her at any time, makes sure the victim knows the</p>

lines of communication are open and it is her job to keep them safe, completes rounds daily to give the victim multiple reporting opportunities as well as provide staff member names for the victim to speak with in her absence. During retaliation monitoring, the PREA Compliance Manager reviews misconduct reports, work schedule, incident reports and housing changes. The PREA Compliance Manager begins documentation on the day she explains retaliation monitoring, at least twice weekly for up to 90 days and or as long as it necessary.

(a) The Community Corrections Center Lincoln PAQ states the agency has a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff. The Captain is the designated retaliation monitor.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 22-23, section CC. 1., states, "NDCS has an obligation to protect all inmates and team members who report sexual assault/abuse or sexual harassment or cooperate with sexual assault/abuse or sexual harassment investigations from retaliation by other inmates or staff. Examples of acts of retaliation include, but are not limited to, unnecessary discipline, intimidation, unnecessary changes in work or program assignments, unjustified transfers or placements and unjustified denials of privileges or services. The facility PREA compliance manager is responsible for monitoring retaliation against inmates, the PREA Coordinator is responsible for monitoring retaliation against staff. Staff who believe they have been subject to retaliation should contact the PREA Coordinator in order to initiate retaliation tracking."

(b) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 23, section CC. 2., states, "Once the PREA compliance manager is made aware of an open investigation, the PREA compliance manager shall meet with the victim and begin retaliation tracking. Facilities shall employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse/assault or sexual harassment or for cooperating with investigations."

(c) The Community Corrections Center Lincoln 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 residents or staff. The facility will monitor conduct or treatment until the resident is discharged. The facility acts promptly to remedy any such retaliation. The length of time that the agency/facility

monitors the conduct or treatment is 12 months. In the past 12 months, the facility has had zero incidents of retaliation.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 23, section CC. 3., states, "For at least 90 days following a report of sexual assault/abuse, the agency shall monitor the conduct and treatment of inmates or staff who report sexual assault/abuse and of inmates who were reported to have suffered sexual assault/abuse to determine if there are changes that may suggest possible retaliation by inmates or team members. Immediate action will be taken to remedy any retaliation. The facility will continue monitoring beyond 90 days if the initial monitoring indicates a continuing need.

a. Items that should be monitored include any inmate disciplinary reports, housing or program changes or negative performance reviews or reassignments of staff.

b. The facility PREA compliance manager or PREA Coordinator will make periodic status checks to determine if retaliation is being perpetrated against or perceived by inmates or staff. With the approval of the warden, the PREA compliance manager may designate up to three management positions (Unit Manager, Lieutenant or above) to assist with retaliation monitoring. Allegations or indications of retaliation will be reviewed and documented. Appropriate action will be taken in the event of confirmed retaliation against inmates or staff."

(e) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 23, section CC. 4., states, "If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual."

Through such reviews, the facility meets standard requirements.

115.271	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion Document Review: 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022

Interviews:

1. Acting Assistant Warden / Investigator
2. Captain / PREA Coordinator

The interview with the Investigator demonstrated she is one of the facility administrative investigators and the agency criminal investigators and or the Nebraska State Patrol will complete criminal investigations. The investigator stated she reviews all allegations of sexual harassment and sexual assault immediately upon receipt. The investigator stated she reviews all documentation related to the allegation, to include area check logs, staff communications, camera footage and timelines, lays out how she will complete interviews of each person associated with the allegation and compile for an outcome and a final report which is completed on an agency investigation template.

The interview with the PREA Coordinator demonstrated she keeps in contact with and has regular meetings with the agency criminal investigators and the Nebraska State Patrol to stay informed on sexual abuse investigation status.

Site Observation:

The facility has experienced one sexual harassment and four sexual abuse investigations in the past 12 months. Each of the investigations were reviewed during the onsite review and each were found to be completed and records maintained in compliance with standard provisions.

(a-b) The Community Corrections Center Lincoln PAQ states the agency/facility has a policy related to criminal and administrative agency investigations.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 23-24, section EE., states, "NDCS shall ensure that an administrative or criminal investigation is completed for all allegations of sexual assault/abuse and sexual harassment, including third party and anonymous reports, in a prompt, thorough and objective manner. Any outside entities responsible for conducting administrative or criminal investigations of sexual assault/abuse shall have in place a policy governing the conduct of such investigations that complies with PREA standards and shall provide training pertaining to the investigation of sexual assault/abuse in confinement settings to the agents and investigators who conduct such investigations. When outside agencies investigate sexual abuse/assault, NDCS shall cooperate with outside investigators and endeavor to remain informed about

the progress of the investigation.”

(b) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 24, section EE 3.a., states, “Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. Alleged victims, suspected perpetrators and witnesses shall be interviewed. Any prior complaints and reports of sexual assault/abuse involving the suspected perpetrator will be reviewed.”

(d) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 25, section EE 3.b., states, “When the quality of evidence appears to support criminal prosecution, compelled interviews will only be conducted after consulting with prosecutors as to whether the compelled interview may be an obstacle for subsequent criminal prosecution.”

(e) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 25, section EE 4., states, “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. Inmates who allege sexual assault/abuse will not be submitted to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation.”

(f) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 25, section EE. 5., states, “Administrative Investigations shall:

a. Include an effort to determine whether staff actions or failures to act contributed to the abuse.

b. 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.

c. Impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse/assault or sexual harassment are substantiated.”

(g) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 25, section EE. 6., states, “Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial and documentary evidence and attached copies of all documentary evidence where feasible.”

(h) The Community Corrections Center Lincoln PAQ states substantiated allegations of conduct that appear to be criminal are referred for prosecution. The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since August 20, 2012, or since the last PREA audit, whichever is later was one.

(l) The Community Corrections Center Lincoln PAQ states the agency retains all written reports pertaining to the administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 31, section OO. 4.a., states, "The case records involving allegations of sexual harassment, sexual abuse or sexual assault of inmates and the subsequent investigations and outcomes will be kept by the PREA Coordinator. Written reports regarding criminal and administrative investigations will be retained for as long as the alleged abuser is incarcerated or employed by NDCS, plus five years. The required information will be kept in the Investigator's Case Management Data Base as well as a hard copy in the PREA Coordinator's office."

Through such reviews, the facility meets standard requirements.

115.272	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Acting Assistant Warden / Investigator

	<p>Interviews with the Investigator demonstrated he would apply a preponderance of evidence for all unsubstantiated or substantiated allegations of sexual abuse.</p> <p>Site Observation:</p> <p>Of the four sexual abuse and one sexual harassment allegation, the application of a preponderance of evidence is well described within the investigation credibility assessment and investigative facts and findings.</p> <p>(a) The Community Corrections Center Lincoln 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.</p> <p>Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 26, section FF., states, “NDCS shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual assault/abuse or sexual harassment are substantiated.”</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.273	Reporting to residents
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. NDCS / PREA Post Investigation Inmate Notification Form, dated 7.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Captain / Security Administrator / PREA Compliance Manager <p>Interviews with the PREA Compliance Manager demonstrated she provides outcomes of sexual harassment and sexual abuse investigations to victims both</p>

verbally and in writing.

Site Observation:

Of the investigations reviewed during the onsite review completed within the past 12 months, each had a notification of the outcome of the investigation.

(a) The Community Corrections Center Lincoln PAQ states the agency has a policy requiring that any resident 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 resident sexual abuse that were completed by the agency/facility in the past 12 months was two. Of the alleged sexual abuse investigations that were completed in the past 12 months, the number of residents who were notified, verbally or in writing, of the results of the investigation was three.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 26, section GG. 1., states, "Following an investigation into an inmate's allegation that he or she suffered sexual assault/abuse or harassment, the inmate shall be informed as to whether the allegation has been determined to be substantiated, unsubstantiated or unfounded. If NDCS did not conduct the investigation it shall request the relevant information from the Nebraska State Patrol in order to inform the inmate. All notifications or attempts shall be made by the captain/PREA coordinator or designee and documented. The obligation to report is terminated if the inmate is released from NDCS custody."

The facility provided a NDCS / PREA Post Investigation Resident Notification. This notification documents the following:

- Case number / Date of notification
- Nature of Allegation
- Allegation Category
- Did the victim receive written/verbal/Notice of Investigation?
- Did the investigation include outside agency? If yes, Name of Agency and date notified
- Date Investigation began and concluded

- Victim must be notified of the below throughout the investigation
- o Victim notified on _____ of aggressor (team member) removed from inmates' unit
- o Victim notified on _____ of aggressor (incarcerated individual) separated from the victim.

- Below Sanction Imposed – unless unfounded or unsubstantiated
- o Victim notified on _____ of aggressor (team member) no longer employs
- o Victim notified on _____ of aggressor (team member or incarcerated individual) indicted
- o Victim notified on _____ of aggressor (team member or incarcerated individual) convicted

- Finding of investigation
- o Case open with State Patrol
- o Substantiated – allegation was investigated and determined to have occurred
- o Unfounded – allegation was investigated and determined not to have occurred
- o Unsubstantiated – allegation was investigated, and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred

- Victim Signature/Inmate #/Date/Time
- PREA Compliance Manager signature/Date/Time
- Facility Warden signature/Date/Time
- PREA Coordinator signature/Date/Time

(b) The Community Corrections Center Lincoln PAQ states an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the resident of the outcome of the investigation. The number of investigations of alleged resident sexual abuse in the facility that were completed by an outside agency in the past 12 months was zero. Of the outside agency investigations of alleged sexual abuse that were completed in the past 12 months, the number of residents alleging sexual abuse in the facility who were notified verbally or in writing of the results of the investigation was one.

(c) The Community Corrections Center Lincoln PAQ states following a resident's allegation that a staff member has committed sexual abuse against the resident,

the agency/facility subsequently informs the resident (unless the agency has determined that the allegation is unfounded) whenever: (a) the staff member is no longer posted within the resident's unit; (b) the staff member is no longer employed at the facility; (c) the agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or (d) the agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility. There have been zero substantiated and unsubstantiated complaints in the past 12 months.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 26-27, section GG. 2., states, "Upon completion of the investigation (including the final review) of an inmate's allegation that a staff member has committed sexual assault/abuse against the inmate (unless it is determined the allegation was unfounded), he or she will be informed whenever:

- a. The team member is no longer posted within the inmate's unit.
- b. The team member is no longer employed at the facility.
- c. It is learned the team member has been indicted on a charge related to sexual abuse/assault within the facility. It is learned the team member has been convicted on a charge related to sexual abuse/assault within the facility."

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

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 26-27, section GG. 3., states, "Upon completion of the investigation (including the final review) of an inmate's allegation that another inmate has committed sexual assault/abuse against the inmate, he or she will be informed whenever:

- a. It is learned the alleged abuser has been indicted on a charge related to sexual assault/abuse within the facility.
- b. It is learned the alleged abuser has been convicted on a charge related to sexual assault/abuse within the facility."

(e) The Community Corrections Center Lincoln PAQ states the agency has a policy that all notifications to residents described under this standard are documented. In

	<p>the past 12 months, there have been seven notifications to an inmate, pursuant to this standard. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.276	Disciplinary sanctions for staff
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden <p>The interview with the Warden demonstrated the facility has had zero staff who have been disciplined for violation of an agency sexual abuse or sexual harassment policy in the past 12 months. If a staff member was found to be involved in a substantiated sexual abuse investigation the employee would be terminated from employment, referred to the Nebraska State Patrol and reported applicable licensing authorities.</p> <p>(a) The Community Corrections Center Lincoln PAQ states staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.</p> <p>Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 27, section HH, states, "Team members shall be subject to disciplinary sanctions up to and including termination for violating agency sexual assault/abuse or sexual harassment policies. Disciplinary sanctions for violations of agency policies relating to sexual assault/abuse or sexual harassment (other than actually engaging in sexual assault/abuse) shall be commensurate with the nature and circumstances of the acts committed, the team member's disciplinary history and the sanctions imposed for comparable offenses by other staff with similar histories.</p>

	<p>Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual assault/abuse. All terminations for violations of agency sexual assault/abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</p> <p>(b) The Community Corrections Center Lincoln PAQ states in the last 12 months, there has been zero staff from the facility that had violated agency sexual abuse or sexual harassment policies. In the past 12 months, the number of staff from the facility who have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies is zero.</p> <p>(c) The Community Corrections Center Lincoln PAQ states the 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 been zero staff requiring discipline for sexual abuse or sexual harassment. Policy compliance can be found in provision (a) of this standard.</p> <p>(d) The Community Corrections Center Lincoln 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, zero staff have been terminated for sexual abuse or harassment.</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.277	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:
	1. Community Corrections Center Lincoln PAQ

2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022

Interviews:

1. Warden

The interview with the Warden demonstrated the facility has had zero contractors and volunteers who have been disciplined for violation of an agency sexual abuse or sexual harassment policy in the past 12 months. If a contractor or volunteer was found to be involved in a substantiated sexual abuse investigation, they would no longer have access to inmates, referred to the Nebraska State Patrol and reported applicable licensing authorities.

(a) The Community Corrections Center Lincoln 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 residents. In the past 12 months, contractors or volunteers have not been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of residents. In the past 12 months, the number of contractors or volunteers reported to law enforcement for engaging in sexual abuse of residents was zero. The PAQ states, "No contractors or volunteers have been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates in the past 12 months."

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 27, section HH. II., states, "Any contractor or volunteer who engages in sexual assault/abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. The facility shall take appropriate remedial measures and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual assault/abuse or sexual harassment policies by a contractor or volunteer."

(b) The Community Corrections Center Lincoln 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.

	Through such reviews, the facility meets standard requirements.
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115.278	Disciplinary sanctions for residents
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Nebraska Department of Correctional Services Rules and Regulations Manual, dated 3.28.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden <p>The interview with the Warden demonstrated inmates who have been involved in sexual abuse allegations would be separated from the victim, possibly demoted, moved to a more secure facility, referred to law enforcement, received a misconduct report, could lose time and privileges.</p> <p>(a) The Community Corrections Center Lincoln PAQ states residents are subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative finding that a resident engaged in resident-on-resident sexual abuse. Residents are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for resident-on-resident sexual abuse. In the past 12 months, the number of administrative findings of resident-on-resident sexual abuse that have occurred at the facility was one. In the past 12 months, the number of criminal findings of guilt for resident-on-resident sexual abuse that have occurred at the facility was zero.</p> <p>Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 27, section Jj. 1., states, "Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding the inmate engaged in inmate-on-inmate sexual assault/abuse/assault or sexual harassment or following a criminal finding of guilt for inmate-on-inmate sexual abuse/assault."</p>

(b) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 28, section Jj. 2., states, "Sanctions shall be administered following the guidelines set forth in the Code of Offenses, Chapter 5, and Inmate Disciplinary Procedures, Chapter 6, and shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history and the sanctions imposed for comparable offenses by other inmates with similar histories."

The facility provided the Nebraska Department of Correctional Services Rules and Regulations Manual. Chapter 5 - Code of Offenses includes definitions for the following offenses: I [O] - Sexual Assault, II [C] - Sexual Activities, II [V] - Sexual Harassment.

The facility provided the Nebraska Department of Correctional Services Rules and Regulations Manual. Chapter 6 - Inmate Disciplinary Procedures explaining the disciplinary process for offenses, of any type.

(c) Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 28, section Jj. 3., states, "The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

(d) The Community Corrections Center Lincoln PAQ states the facility does offer therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 28, section Jj. 4., states, "If the facility offers therapy, counseling or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. If such a determination is made the inmate will be re-classified accordingly."

(d) The Community Corrections Center Lincoln PAQ states the agency disciplines residents for sexual conduct with staff only upon finding that the staff member did not consent to such contact.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 28, section Jj. 5., states, “Inmates shall not be disciplined for having sexual contact with staff unless it is determined the staff member did not consent to such contact.”

(e) Community Corrections Center Lincoln 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.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 28, section Jj. 6., states, “For the purpose of disciplinary action, a report of sexual assault/abuse or sexual harassment made in good faith based upon a reasonable belief the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.”

(f) Community Corrections Center Lincoln PAQ states the agency prohibits all sexual activity between residents.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 28, section Jj. 7., states, “While NDCS does prohibit all sexual activity between inmates, such activity, when it occurs, will not constitute sexual abuse if it is determined the activity is consensual and has not been coerced.”

Through such reviews, the facility meets standard requirements.

115.282	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:
	1. Community Corrections Center Lincoln PAQ

2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022

3. Nebraska Department of Correctional Services, Mental Health/Medical Referral Form, dated 11.1998

Interviews:

1. Registered Nurse

The interview with the Registered Nurse demonstrated inmates would be transported to Byran Medical Center for emergency services for any sexual assault victims.

(a-b) The Community Corrections Center Lincoln PAQ states resident 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. The facility would always refer out to local mental health or the emergency room for medical and mental health emergency situations.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 29, section LL., states, "Inmate victims of sexual assault/abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim and immediately notify the appropriate medical and mental health staff.

Inmate victims of sexual assault/abuse shall be 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. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident."

The facility provided a Nebraska Department of Correctional Services, Mental Health/Medical Referral Form. The form is completed to document the following.

· Date / Referral Source

	<ul style="list-style-type: none"> · Inmate Name / Number · Institution / Living Location · Referral to: <ul style="list-style-type: none"> o In-Patient Mental Health Program o In-Patient Sex Offender Program o Psychiatric Consult o Medical o Socially & Developmentally Impaired Program o Crisis Intervention o Mental Health Counseling / Assessment o Other <p>(c) The Community Corrections Center Lincoln PAQ states, resident 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. Policy compliance can be found in provision (a) of this standard.</p> <p>(d) The Community Corrections Center Lincoln 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. Policy and procedure can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.283	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Document Review:

1. Community Corrections Center Lincoln PAQ
2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022
3. Mental Health Response to Allegations of Sexual Abuse Protocol
4. Nebraska Department of Correctional Services, Identification of Potential Aggressors and Victims / Survivors Policy 201.03, dated 7.31.2023

Interviews:

1. Captain / Security Administrator / PREA Compliance Manager

During the onsite review inmate rosters and conversations with the PREA Compliance Manager demonstrated victims of sexual abuse were not in the facility at the time of the review.

The interview with the Nurse demonstrated victims would be offered ongoing medical and mental health services upon return from a forensic exam.

(a-c/g) The Community Corrections Center Lincoln PAQ states the facility does offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 29, section MM., states, "All inmates shall be offered medical and mental health evaluations and as appropriate, treatment if they have been the victim of sexual assault/abuse. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities or their release from custody. Services shall be consistent with community standards of care. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

All inmates alleging they are victims of sexual assault shall be offered tests for sexually transmitted infections as medically appropriate. Medical staff will provide appropriate counseling and information relative to sexually transmitted infections. Preventive treatment and follow-up for sexually transmitted infections will be

offered to all victims as appropriate. Inmate victims of sexually abusive vaginal penetration shall be offered pregnancy tests. If pregnancy results from the incident, the victim shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.”

The facility provided a mental health response to allegations of sexual assault to include the following protocols.

- Upon the inmate’s return to the facility (or after declining medical treatment), the inmate will be placed on fifteen-minute check status until evaluated by mental health staff.
- During daytime business hours, medical staff (or security staff when medical is unavailable) will make both a verbal and written referral to mental health.
- After daytime business hours, medical (or security) staff will contact the Mental Health Officer of the Day (MHOD) immediately. The MHOD will notify her/his Institutional Mental Health Supervisor (IMHS) who will arrange for the post-incident mental health assessment of the Inmate.
- A mental health staff person will meet with the inmate within one working day after the referral is received to determine the need for crisis intervention and/or long-term counseling.

(d) The Community Corrections Center Lincoln PAQ states female victims of sexually abusive vaginal penetration while incarcerated are offered pregnancy tests. Practice and policy compliance can be found in provision (a) of this standard.

(c) The Community Corrections Center Lincoln PAQ states if pregnancy results from sexual abuse while incarcerated, victims receive timely and comprehensive information about, and timely access to, all lawful pregnancy-related medical services. Practice and policy compliance can be found in provision (a) of this standard.

(f) The Community Corrections Center Lincoln PAQ states resident victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. Practice and policy compliance can be found in provision (a) of this standard.

(h) This Community Corrections Center Lincoln PAQ states the facility does attempt to conduct a mental health evaluation of all known resident-on-resident abusers

	<p>within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.</p> <p>Nebraska Department of Correctional Services, Identification of Potential Aggressors and Victims / Survivors Policy 201.03, page 6, final three paragraphs, state, “After an allegation of sexual assault or sexual abuse is reported to facility staff, the victim, and aggressor will be assessed. Staff will complete the assessment using the NICaMS PREA screening assessment. This assessment shall be completed as soon as possible following the notification of the allegation (generally within 24 hours) and must be completed within 72 hours.</p> <p>When facility staff are made aware of any inmate-on-inmate sexual assault sexual abuse or sexual harassment incident, a Mental Health referral must be submitted per the established facility process. Treatment/follow-up will be provided as deemed necessary by mental health staff.</p> <p>If there is any change in the inmate’s aggression or victimization potential, changes to the inmate’s housing, programming and work assignments shall be made as appropriate.”</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.286	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Nebraska Department of Correctional Services, Sexual Abuse Incident Review (SAIR), dated 2023 <p>Interviews:</p>

1. Captain / Security Administrator / PREA Compliance Manager

The interview with the PREA Compliance Manager demonstrated the Captain (PCM), Unit Administrator, Medical, Substance Abuse Provider and Investigator would be team to review each sexual abuse incident. The PREA Compliance Manager stated the team reviews interviews of each party involved in the allegation, review of camera footage, statements, follow all leads, consideration of facility dynamics and a review of all facility processes.

(a) The Community Corrections Center Lincoln 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 have been two criminal and or administrative investigations of alleged sexual abuse completed at the facility.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 29, section NN. 1., states, "The facility shall conduct a Sexual Abuse Incident Review at the conclusion of every sexual assault/abuse investigation for all substantiated and unsubstantiated allegations. It is not necessary to complete Incident Reviews for occurrences for allegations of sexual harassment."

The facility provided a Nebraska Department of Correctional Services, Sexual Abuse Incident Review (SAIR). The review includes the following.

- Location of the Incident:
- Type of Incident:
- Incident Date:
- Incident Discovery:
- Allegation and Synopsis of Investigation:
- Timeline of Investigation:
 - o This is the timeline once investigation is assigned
- Team Members Involved in Incident Response
- Allegation Determination
- Key Strengths Identified During the Incident
- Opportunities/areas for Improvement Include
- Changes in Policy/Practice Needed
- Incident Motivation
- Staffing Levels

- Monitoring Technology
- Recommendations for Improvement
- Conclusion
- Date Report Prepared for Review
- Team Members who Reviewed Incident

The SAIR is signed and dated by the PREA Compliance Manager, Warden, Agency PREA Coordinator, Assistant Deputy Director of Intelligence, Investigations Coordinator, and the Facility Specific Deputy Director.

(b) The Community Corrections Center Lincoln 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 were followed by a sexual abuse incident review within 30 days, excluding only “unfounded” incidents were three.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 30, section NN. 2., states, “The facility PREA Management Team is responsible for conducting the incident review and shall ordinarily meet within 30 days of the final review and closing of the investigation. The facility PREA compliance manager will oversee the PREA Management Team, which will include, at a minimum, one person from each of the following:

- a. Upper-level management officials (i.e., Deputy, Associate or Assistant Warden; Major; Captain; Unit Administrator)
- b. Line supervisors (i.e., Lieutenant, Sergeant, Unit Manager, Unit Case Manager)
- c. Investigative staff (i.e., Intelligence supervisor or other Intelligence staff)
- d. Medical or mental health staff

Specific operational procedures regarding the PREA Management Teams are detailed in facility Procedures.”

(c) The Community Corrections Center Lincoln 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.

Policy and practice compliance can be found in provision (b) of this standard.

(d) The Community Corrections Center Lincoln 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 Coordinator.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 30, section NN. 3., states, "The review team shall:

- a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual assault/abuse.
- b. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification; status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility, including retaliation for prior incidents or allegations of sexual assault/abuse.
- c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- d. Assess the adequacy of staffing levels in that area during different shifts.
- e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- f. Prepare a report on its findings, including but not necessarily limited to determinations made and any recommendations for improvement. The facility PREA compliance manager will submit the report to the warden/designee for his/her review, and then sent to the PREA Coordinator for review."

(f) The Community Corrections Center Lincoln PAQ states, the facility implements the recommendations for improvement or documents its reasons for not doing so.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 30, section NN. 4., states, "The facility shall implement the recommendations for improvement or shall document its reasons for not doing so."

Through such reviews the facility meets standard requirements.

115.287	Data collection
	<p data-bbox="280 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="280 264 564 300">Auditor Discussion</p> <p data-bbox="280 340 545 376">Document Review:</p> <ol data-bbox="280 412 1423 631" style="list-style-type: none"> <li data-bbox="280 412 963 448">1. Community Corrections Center Lincoln PAQ <li data-bbox="280 483 1423 560">2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 <li data-bbox="280 595 871 631">3. Survey of Sexual Victimization, 2022 <p data-bbox="280 739 437 775">Interviews:</p> <ol data-bbox="280 810 740 846" style="list-style-type: none"> <li data-bbox="280 810 740 846">1. Captain / PREA Coordinator <p data-bbox="280 882 1474 1043">The interview with the PREA Coordinator demonstrated each facility PREA Compliance Manager provides her with annual sexual harassment and sexual abuse investigation numbers which are then aggregated across the agency for review and collection for the agency annual report.</p> <p data-bbox="280 1151 1423 1267">(a) The Community Corrections Center Lincoln 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.</p> <p data-bbox="280 1375 1474 1536">Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 31, section OO. 1-3, states, "NDCS shall collect accurate, uniform data for every allegation of sexual assault/abuse at all facilities using a standardized instrument and set of definitions. This data shall be aggregated at least annually.</p> <ol data-bbox="280 1572 1474 2007" style="list-style-type: none"> <li data-bbox="280 1572 1423 1733">1. The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the DOJ, which is completed by the PREA Coordinator. <li data-bbox="280 1769 1474 1886">2. NDCS shall maintain, review and collect data as needed from all available incident-based documents, including reports, investigation files and Sexual Assault/ Abuse Incident Reviews. <li data-bbox="280 1921 1474 2007">3. Upon request, NDCS shall provide all such data from the previous calendar year to the DOJ."

(b) The Community Corrections Center Lincoln PAQ states the agency aggregates incident-based sexual abuse at least annually. Practice and policy compliance can be found in provision (a) of this standard.

(c) The Community Corrections Center Lincoln PAQ states 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.

The facility provided a Survey of Sexual Victimization as their data collection.

(d) The Community Corrections Center Lincoln 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.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 31, section OO. 4. a., states, "The case records involving allegations of sexual harassment, sexual abuse or sexual assault of inmates and the subsequent investigations and outcomes will be kept by the PREA Coordinator. Written reports regarding criminal and administrative investigations will be retained for as long as the alleged abuser is incarcerated or employed by NDCS, plus five years. The required information will be kept in the Investigator's Case Management Data Base as well as a hard copy in the PREA Coordinator's office. Each case shall be identified as one of the following PREA categories:

1. Staff on inmate sexual assault
2. Staff on inmate sexual abuse
3. Staff on inmate exhibitionism
4. Staff on inmate voyeurism
5. Staff on inmate sexual harassment
6. Inmate on inmate sexual assault
7. Inmate on inmate sexual abuse
8. Inmate on inmate sexual harassment"

(e) The Community Corrections Center Lincoln PAQ states the agency does

	<p>contract with private facilities. The contracting sources identified in 115.42 are county contracts and the contract language for those facilities is inclusive of PREA Audit requirements.</p> <p>(f) The Community Corrections Center Lincoln PAQ states the agency provided the Department of Justice (DOJ) with data from the previous calendar year upon request.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.288	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Nebraska Department of Correctional Services Annual PREA Assessment 2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Captain / PREA Coordinator 2. Deputy Director of Prisons Operations / Agency Head <p>The interview with both the PREA Coordinator and the Agency Head demonstrated each allegation of sexual harassment and sexual abuse is reviewed at the facility and agency level, at the time of the incident. In addition, recommendations provided for corrective action are reviewed to ensure implementation takes place at the facility and agency level if appropriate.</p> <p>(a) The Community Corrections Center Lincoln PAQ states the agency reviews data collected and aggregated pursuant to §115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including: (a) identifying problem areas; (b) taking corrective action on an</p>

ongoing basis; and (c) 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.

Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 32, section PP., states, "NDCS shall review data in order to assess and improve the effectiveness of NDCS's sexual assault/abuse prevention, detection and response policies, practices and training by:

- a. Identifying problem areas
- b. Taking corrective action on an ongoing basis
- c. Preparing an annual report of its findings and corrective actions for each facility and NDCS as a whole.

1. These reports shall include a comparison of three years and corrective actions with those from prior years and shall provide an assessment of NDCS's progress in addressing sexual assault/abuse.
2. The reports shall be approved by the NDCS director/designee and made readily available to the public through its website.
3. NDCS may redact specific material from the reports when publication would present a clear and specific threat to the safety."

(b) The Community Corrections Center Lincoln 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. The annual report provides progress in addressing sexual abuse.

The facility provided the Nebraska Department of Correctional Services Annual PREA Assessment 2022. The report compares the following data from years 2014 through 2022.

- Introduction of PREA
 - o Nebraska Department of Correctional Services Zero Tolerance Policy
 - o Reporting options for inmates
 - o PREA orientation training provided to inmates
 - o Mandated Team Member in-service and refresher PREA training

- Assessment of NDCS's Progress
- Goals for 2022
- Facility Audit Schedule
- PREA Investigations to include:
 - o Total investigations for 2022
 - o Staff Perpetrated Sexual Assault
 - o Staff Perpetrated Sexual Abuse
 - o Staff Perpetrated Exhibitionism
 - o Staff Perpetrated Voyeurism
 - o Staff Perpetrated Sexual Abuse
 - o Inmate Perpetrated Sexual Assault
 - o Inmate Perpetrated Sexual Abuse
 - o Inmate Perpetrated Sexual Harassment
 - o County Attorney Referrals
- Victim Advocacy
- Supervision and Monitoring
- Nebraska Statewide Coordinated Response Team
 - o Vision
 - o Mission
 - o CRT members

The annual report is signed by the PREA Coordinator, Assistant Deputy Director of Intelligence

Deputy Director of Prisons, Deputy Director of Programs, and the Chief of Operations, Director.

(c) The Community Corrections Center Lincoln PAQ states the agency makes its annual report readily available to the public, at least annually, through its website at <https://corrections.nebraska.gov/about/prison-rape-elimination-act-0>.



	<p>(d) The Community Corrections Center Lincoln 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.</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.289	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Community Corrections Center Lincoln PAQ 2. Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, dated 7.31.2022 3. Schedule 92, Nebraska Department of Correctional Services, dated 12.12.2011 <p>(a/d) The Community Corrections Center Lincoln PAQ states the agency ensures that incident-based and aggregate data are securely retained.</p> <p>Nebraska Department of Correctional Services, Sexual Assault/Abuse Policy 203.11, page 33, section QQ., states, “The data collected shall be securely retained. All aggregated sexual assault/abuse data shall be made readily available to the public at least annually through the agency’s website; all personal identifiers will be removed prior to making the information available to the public. The PREA Coordinator shall be responsible for the collection and retention of said data. NDCS shall maintain sexual assault/abuse data collected for at least 10 years after the date of the initial collection unless Federal, State or local law requires otherwise.”</p> <p>The facility provides Schedule 92, Nebraska Department of Correctional Services, demonstrating the State mandates Correction Inmate Tracking (CIT) Correction Tracking System (CTS), Website and Siebel Reports.</p> <p>(b) The Community Corrections Center Lincoln PAQ states agency policy requires</p>

	<p>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 at https://corrections.nebraska.gov/about/prison-rape-elimination-act-0.</p> /p></p> <p>(c) The Community Corrections Center Lincoln PAQ states before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets standard requirements.</p>
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115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(a) During the prior three-year audit period, the agency ensured that each facility operated was audited, once.</p> <p>(b) This is the second audit cycle for Community Corrections Center Lincoln and the second year of the fourth audit cycle.</p> <p>(h) The Auditor was granted complete access to, and the ability to observe, all areas of the facility.</p> <p>(i) The Auditor was permitted to request and receive copies of any relevant documents (including electronically stored information).</p> <p>(m) The Auditor was permitted to conduct private interviews with residents.</p> <p>(n) Residents are permitted to send confidential information or correspondence to the Auditor in the same manner as if they were communicating with legal counsel.</p>

	Through such reviews, the facility meets the standard requirements.
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115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(b) The agency has final audit reports published on its agency website.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Appendix: Provision Findings		
115.211 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
115.211 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its community confinement facilities?	yes
115.212 (a)	Contracting with other entities for the confinement of residents	
	If this agency is public and it contracts for the confinement of its residents with private agencies or other entities, including other government agencies, has the agency included the entity's obligation to adopt and 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 residents.)	yes
115.212 (b)	Contracting with other entities for the confinement of residents	
	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 residents.)	yes
115.212 (c)	Contracting with other entities for the confinement of residents	
	If the agency has entered into a contract with an entity that fails to comply with the PREA standards, did the agency do so only in	yes

	emergency circumstances after making all reasonable attempts to find a PREA compliant private agency or other entity to confine residents? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	
	In such a case, does the agency document its unsuccessful attempts to find an entity in compliance with the standards? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	yes
115.213 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring to protect residents against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The physical layout of each facility?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the resident population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
115.213 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (NA if no deviations from staffing plan.)	yes
115.213 (c)	Supervision and monitoring	
	In the past 12 months, has the facility 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 assessed, determined, and documented whether adjustments are needed to prevailing	yes

	staffing patterns?	
	In the past 12 months, has the facility 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 assessed, determined, and documented whether adjustments are needed to the resources the facility has available to commit to ensure adequate staffing levels?	yes
115.215 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip searches or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.215 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female residents, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female residents' access to regularly available programming or other outside opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	yes
115.215 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female residents?	yes
115.215 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enable residents 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?	yes
	Does the facility have procedures that enable residents to shower,	yes

	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?	
	Does the facility require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing?	yes
115.215 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex residents for the sole purpose of determining the resident's genital status?	yes
	If the resident's genital status is unknown, does the facility determine genital status during conversations with the resident, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.215 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex residents in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
115.216 (a)	Residents with disabilities and residents who are limited English proficient	
	Does the agency take appropriate steps to ensure that residents 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: Residents who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who are blind or have low vision?	yes

	Does the agency take appropriate steps to ensure that residents 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: Residents who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that residents 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 residents 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 residents with disabilities including residents who: Have intellectual disabilities?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents 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 residents with disabilities including residents who: Who are blind or have low vision?	yes
115.216 (b)	Residents with disabilities and residents 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 residents who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.216 (c)	Residents with disabilities and residents who are limited English proficient	
	Does the agency always refrain from relying on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under §115.264, or the investigation of the resident's allegations?	yes
115.217 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents 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 residents 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 residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents 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 the services of any contractor who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of	yes

	force, or coercion, or if the victim did not consent or was unable to consent or refuse?	
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
115.217 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with residents?	yes
	Does the agency consider any incidents of sexual harassment in determining to enlist the services of any contractor who may have contact with residents?	yes
115.217 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with residents, does the agency: Perform a criminal background records check?	yes
	Before hiring new employees who may have contact with residents, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.217 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with residents?	yes
115.217 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees?	yes
115.217	Hiring and promotion decisions	

(f)		
	Does the agency ask all applicants and employees who may have contact with residents 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 residents directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.217 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.217 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.218 (a)	Upgrades to facilities and technology	
	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 residents from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012 or since the last PREA audit, whichever is later.)	yes
115.218 (b)	Upgrades to facilities and technology	
	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	yes

	agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not installed or updated any video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012 or since the last PREA audit, whichever is later.)	
115.221 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes
115.221 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (NA 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? (NA if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes
115.221 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes

	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.221 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.221 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.221 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
115.221 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.221(d) above).	yes

115.222 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.222 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.222 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for conducting criminal investigations. See 115.221(a).)	yes
115.231 (a)	Employee training	
	Does the agency train all employees who may have contact with residents on: Its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents 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 residents on: Residents' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with	yes

	residents on: The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	
	Does the agency train all employees who may have contact with residents on: The dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with residents on: The common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with residents 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 residents on: How to avoid inappropriate relationships with residents?	yes
	Does the agency train all employees who may have contact with residents on: How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents?	yes
	Does the agency train all employees who may have contact with residents on: How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.231 (b)	Employee training	
	Is such training tailored to the gender of the residents at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa?	yes
115.231 (c)	Employee training	
	Have all current employees who may have contact with residents 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,	yes

	does the agency provide refresher information on current sexual abuse and sexual harassment policies?	
115.231 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.232 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.232 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with residents 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 residents)?	yes
115.232 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.233 (a)	Resident education	
	During intake, do residents receive information explaining: The agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining: How to report incidents or suspicions of sexual abuse or sexual harassment?	yes
	During intake, do residents receive information explaining: Their rights to be free from sexual abuse and sexual harassment?	yes

	During intake, do residents receive information explaining: Their rights to be free from retaliation for reporting such incidents?	yes
	During intake, do residents receive information regarding agency policies and procedures for responding to such incidents?	yes
115.233 (b)	Resident education	
	Does the agency provide refresher information whenever a resident is transferred to a different facility?	yes
115.233 (c)	Resident education	
	Does the agency provide resident education in formats accessible to all residents, including those who: Are limited English proficient?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are deaf?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are visually impaired?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are otherwise disabled?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Have limited reading skills?	yes
115.233 (d)	Resident education	
	Does the agency maintain documentation of resident participation in these education sessions?	yes
115.233 (e)	Resident education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats?	yes
115.234 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.231, does the agency ensure that, to the extent	yes

	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 criminal or administrative sexual abuse investigations. See 115.221(a)).	
115.234 (b)	Specialized training: Investigations	
	Does this specialized training include: Techniques for interviewing sexual abuse victims?(N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(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 criminal or administrative sexual abuse investigations. See 115.221(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 criminal or administrative sexual abuse investigations. See 115.221(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 criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
115.234 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a).)	yes
115.235 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes

	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.235 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency does not employ medical staff or the medical staff employed by the agency do not conduct forensic exams.)	na
115.235 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.235 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.231? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	yes
	Do medical and mental health care practitioners contracted by	yes

	and volunteering for the agency also receive training mandated for contractors and volunteers by §115.232? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	
115.241 (a)	Screening for risk of victimization and abusiveness	
	Are all residents assessed during an intake screening for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
	Are all residents assessed upon transfer to another facility for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
115.241 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.241 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes
115.241 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The age of the resident?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The physical build of the resident?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization:	yes

	Whether the resident's criminal history is exclusively nonviolent?	
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident 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 residents for risk of sexual victimization: Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the resident about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the resident 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 residents for risk of sexual victimization: Whether the resident has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The resident's own perception of vulnerability?	yes
115.241 (e)	Screening for risk of victimization and abusiveness	
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse?	yes
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses?	yes
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse?	yes
115.241 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the resident's arrival at the facility, does the facility reassess the resident's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

115.241 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess a resident's risk level when warranted due to a: Referral?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Request?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Incident of sexual abuse?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness?	yes
115.241 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that residents are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.241 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents?	yes
115.242 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents 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 § 115.241, with the goal of keeping separate those residents 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 § 115.241, with the goal of keeping separate those residents 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 § 115.241, with the goal of keeping separate those residents 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 § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.242 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each resident?	yes
115.242 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex resident to a facility for male or female residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns residents 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 residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems?	yes
115.242 (d)	Use of screening information	
	Are each transgender or intersex resident's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.242 (e)	Use of screening information	
	Are transgender and intersex residents given the opportunity to shower separately from other residents?	yes
115.242	Use of screening information	

(f)		
	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 residents, does the agency always refrain from placing: lesbian, gay, and bisexual residents 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 residents 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 residents, does the agency always refrain from placing: transgender residents 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 residents 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 residents, does the agency always refrain from placing: intersex residents 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 residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
115.251 (a)	Resident reporting	
	Does the agency provide multiple internal ways for residents to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Retaliation by other residents or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.251 (b)	Resident reporting	

	Does the agency also provide at least one way for residents 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 resident reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the resident to remain anonymous upon request?	yes
115.251 (c)	Resident reporting	
	Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Do staff members promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.251 (d)	Resident reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of residents?	yes
115.252 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address resident grievances regarding sexual abuse. This does not mean the agency is exempt simply because a resident does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
115.252 (b)	Exhaustion of administrative remedies	
	Does the agency permit residents 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 a resident to use any informal grievance process, or to otherwise attempt to resolve	yes

	with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	
115.252 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: a resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
115.252 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by residents in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency determines that the 90-day timeframe is insufficient to make an appropriate decision and claims an extension of time (the maximum allowable extension is 70 days per 115.252(d)(3)), does the agency notify the resident in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, may a resident consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.252 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, permitted to assist residents 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 residents? (If a third party files such a request on behalf	yes

	of a resident, 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.)	
	If the resident declines to have the request processed on his or her behalf, does the agency document the resident's decision? (N/A if agency is exempt from this standard.)	yes
115.252 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that a resident 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 a resident 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 resident is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.252 (g)	Exhaustion of administrative remedies	
	If the agency disciplines a resident for filing a grievance related to	yes

	alleged sexual abuse, does it do so ONLY where the agency demonstrates that the resident filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	
115.253 (a)	Resident access to outside confidential support services	
	Does the facility provide residents with access to outside victim advocates for emotional support services related to sexual abuse by giving residents 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 enable reasonable communication between residents and these organizations, in as confidential a manner as possible?	yes
115.253 (b)	Resident access to outside confidential support services	
	Does the facility inform residents, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.253 (c)	Resident access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.254 (a)	Third party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of a resident?	yes
115.261 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or	yes

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

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

	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?	
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.264 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.265 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.266 (a)	Preservation of ability to protect residents from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.267 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff?	yes

	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.267 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes
115.267 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by residents 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 residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents 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 resident 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:4. Monitor resident 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 resident 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 reassignment of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.267 (d)	Agency protection against retaliation	
	In the case of residents, does such monitoring also include periodic status checks?	yes
115.267 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.271 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(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 115.221(a).)	yes
115.271 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.234?	yes
115.271 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial	yes

	evidence, including any available physical and DNA evidence and any available electronic monitoring data?	
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.271 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.271 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as resident or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.271 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.271 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.271	Criminal and administrative agency investigations	

(h)		
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.271 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.271(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.271 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the facility or agency does not provide a basis for terminating an investigation?	yes
115.271 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).)	yes
115.272 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.273 (a)	Reporting to residents	
	Following an investigation into a resident's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.273 (b)	Reporting to residents	
	If the agency did not conduct the investigation into a resident's allegation of sexual abuse in an agency facility, does the agency	yes

	request the relevant information from the investigative agency in order to inform the resident? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	
115.273 (c)	Reporting to residents	
	Following a resident’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 posted within the resident’s unit?	yes
	Following a resident’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 a resident’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 a resident’s allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.273 (d)	Reporting to residents	
	Following a resident’s allegation that he or she has been sexually abused by another resident, 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 a resident’s allegation that he or she has been sexually abused by another resident, does the agency subsequently inform	yes

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

	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with residents?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.277 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with residents?	yes
115.278 (a)	Disciplinary sanctions for residents	
	Following an administrative finding that a resident engaged in resident-on-resident sexual abuse, or following a criminal finding of guilt for resident-on-resident sexual abuse, are residents subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.278 (b)	Disciplinary sanctions for residents	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories?	yes
115.278 (c)	Disciplinary sanctions for residents	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether a resident's mental disabilities or mental illness contributed to his or her behavior?	yes
115.278 (d)	Disciplinary sanctions for residents	
	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 resident to participate in such interventions as a	yes

	condition of access to programming and other benefits?	
115.278 (e)	Disciplinary sanctions for residents	
	Does the agency discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
115.278 (f)	Disciplinary sanctions for residents	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
115.278 (g)	Disciplinary sanctions for residents	
	Does the agency always refrain from considering non-coercive sexual activity between residents to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between residents.)	yes
115.282 (a)	Access to emergency medical and mental health services	
	Do resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.282 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.262?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.282 (c)	Access to emergency medical and mental health services	
	Are resident victims of sexual abuse offered timely information	yes

	about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	
115.282 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.283 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.283 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.283 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.283 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are resident 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 residents who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.283 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.283(d), do such victims receive timely and comprehensive	yes

	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 residents 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.)	
115.283 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are resident victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.283 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.283 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners?	yes
115.286 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
115.286 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.286 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes

115.286 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.286(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.286 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.287 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.287 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.287	Data collection	

(c)		
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.287 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.287 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents? (N/A if agency does not contract for the confinement of its residents.)	yes
115.287 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
115.288 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.287 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 § 115.287 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 § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes

115.288 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.288 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.288 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.289 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.287 are securely retained?	yes
115.289 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.289 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.289 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.287 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes

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

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