

Prison Rape Elimination Act (PREA) Audit Report Adult Prisons & Jails

Interim Final

Date of Report: February 28, 2019

Auditor Information

Name: Brian D. Bivens	Email: briandbivens@gmail.com
Company Name: Brian D. Bivens and Associates	
Mailing Address: P.O. Box 51787	City, State, Zip: Knoxville, TN 37921
Telephone: 865-789-1037	Date of Facility Visit: August 6-8, 2018

Agency Information

Name of Agency:	Governing Authority or Parent Agency (If Applicable):		
Overton County Sheriff's Department	N/A		
Physical Address: 1010 John T. Poindexter Drive Livingston, TN 38570	City, State, Zip: N/A		
Mailing Address: SAME	City, State, Zip: N/A		
Telephone: 931-403-0077	Is Agency accredited by any organization? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
The Agency Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for Profit	<input type="checkbox"/> Private not for Profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal

Agency Mission: The Overton County Sheriff's Office is committed to protect life, liberty, and property of all people; to maintain order; enforce the laws and civil process. The Overton County Sheriff's Department is responsible for the professional care and custody of those confined in our jail, the security of our courts, the prompt investigation of crime when it occurs, and to vigorously seek the prosecution of offenders. It is our mission to improve and maintain the quality of life and ensure that our county is a safe place to live, work, and visit.

Agency Website with PREA Information: www.overtonsheriff.com

Agency Chief Executive Officer

Name: John Garrett	Title: Sheriff
Email: jgarrettocsd112@gmail.com	Telephone: 1-931-397-3413

Agency-Wide PREA Coordinator

Name: Patti Hensley	Title: PREA Coordinator
Email: 55patriciahensley@gmail.com	Telephone: 1-931-397-3413
PREA Coordinator Reports to: Shelley Sloan, Jail Administrator	Number of Compliance Managers who report to the PREA Coordinator: 0

Facility Information

Name of Facility: Overton County Jail			
Physical Address: 1010 John T. Poindexter Drive, Livingston, TN 38570			
Mailing Address (if different than above): Same			
Telephone Number: 1-931-403-0077			
The Facility Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Private not for profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
Facility Type:	<input checked="" type="checkbox"/> Jail	<input type="checkbox"/> Prison	
Facility Mission: The Overton County Sheriff's Office is committed to protect life, liberty, and property of all people; to maintain order; enforce the laws and civil process. The Overton County Sheriff's Department is responsible for the professional care and custody of those confined in our jail, the security of our courts, the prompt investigation of crime when it occurs, and to vigorously seek the prosecution of offenders. It is our mission to improve and maintain the quality of life and ensure that our county is a safe place to live, work, and visit.			
Facility Website with PREA Information: www.overtonsheriff.com			

Warden/Superintendent

Name: Shelley Sloan	Title: Jail Administrator
Email: shelley.sloan@leo.gov	Telephone: 1-931-403-0077

Facility PREA Compliance Manager

Name: N/A	Title: N/A
Email: N/A	Telephone: N/A

Facility Health Service Administrator

Name: Southern Health Partners	Title:
Email:	Telephone: 1-888-231-2888

Facility Characteristics

Designated Facility Capacity: 145		Current Population of Facility: 138	
Number of inmates admitted to facility during the past 12 months:			1268
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more:			429
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more:			864
Number of inmates on date of audit who were admitted to facility prior to August 20, 2012:			0
Age Range of Population:	Youthful Inmates Under 18: N/A	Adults: 20-61	
Are youthful inmates housed separately from the adult population?		<input type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Number of youthful inmates housed at this facility during the past 12 months:			0
Average length of stay or time under supervision:			138 days
Facility security level/inmate custody levels:			Min/Med/Max
Number of staff currently employed by the facility who may have contact with inmates:			26
Number of staff hired by the facility during the past 12 months who may have contact with inmates:			24
Number of contracts in the past 12 months for services with contractors who may have contact with inmates:			1

Physical Plant

Number of Buildings: 1	Number of Single Cell Housing Units:
Number of Multiple Occupancy Cell Housing Units:	1
Number of Open Bay/Dorm Housing Units:	6
Number of Segregation Cells (Administrative and Disciplinary):	5

Description of any video or electronic monitoring technology (including any relevant information about where cameras are placed, where the control room is, retention of video, etc.):

The facility has 79 cameras and two DVR's; recording time is approximately 30 days. The Control Room is located on the second level of the facility. Cameras are strategically places throughout the facility to provide maximum visibility.

Medical

Type of Medical Facility:	Clinic
Forensic sexual assault medical exams are conducted at:	Livingston Medical Center

Other

Number of volunteers and individual contractors, who may have contact with inmates, currently authorized to enter the facility:	17
Number of investigators the agency currently employs to investigate allegations of sexual abuse:	1

Audit Findings

Audit Narrative

The onsite PREA audit of the Overton County Jail was conducted August 6-8, 2018, by Office of Justice Certified PREA Auditor Brian D. Bivens. Overton County is located on the upper middle section of Tennessee. The county seat is Livingston. The county is named after General "Mad Anthony" Overton; a Revolutionary War General for the United States Army. According to the 2010 U.S. census, the population of Overton County was 17,021. The county has a total of 736 square miles; it lies primarily along the southwestern Highland Rim. The racial makeup of the county in 2010 was 92.3% White, 5.7% African American, .03% Native American and 1.6% Hispanic.

Pre-audit preparation included a thorough review of all policies, procedures, training curriculums, Pre-Audit Questionnaire, and supporting documentation provided by the facility to demonstrate compliance to the PREA standards. The auditor and the Jail Administrator had ongoing communication for several months prior to the audit to prepare for the on-site visit. The auditor toured the facility prior to the onsite review.

The auditor wishes to extend his deepest appreciation to Shelley Sloan, for her professionalism, hospitality, and kindness. The auditor also wishes to compliment Sheriff John Garrett and the Overton County Jail's PREA Team for the work in organizing the files that were provided to the auditor in advance of the audit.

The facility supplied a list of resident names sorted by housing units, disabilities, and special designations, as well as a list of facility staff names to the auditor. From these lists the auditor selected, at random, a sampling of inmates and staff to be interviewed during the on-site visit. The sampling size for inmates included at least two inmates in each housing pod. This decision was made to ensure all inmates throughout the facility were receiving the same information and education related to all aspects of the PREA program instituted at this facility.

The on-site audit began with an entrance meeting being conducted on Monday, August 6, 2018 at 08:15 a.m. in the Jail Administrator's Office. The following staff attended the entrance meeting:

Shelley Sloan, Jail Administrator

Sheriff John Garrett

Following the entrance meeting, the auditor conducted a comprehensive site review that began at approximately 09:05 a.m. and continued throughout the onsite visit. During the site review the

auditor reviewed camera placement, blind spots, staff placement and documentation to assist in determining standard compliance. While touring the facility the auditor observed the notices of this PREA audit in the main public lobby; as well as, all the housing units, as well as posters (NO Means NO) that called attention to the agency's Zero Tolerance Policy and how to report allegations of sexual abuse and sexual harassment. Random staff and resident interviews were conducted in a private area (multipurpose room). The following staff accompanied the auditor on the site review:

Shelley Sloan, Jail Administrator

All housing units, day rooms, recreation yard, resident program areas, work areas, and all other resident accessible areas were toured. Other accessible areas included the Kitchen, Laundry, Inmate Worker Housing, Multi-Purpose Room, Recreation Yard, Lobby, Administrative Area, Intake and Sally port. While touring several inmates and staff were questioned about their knowledge of PREA standards, procedures for reporting, services available, and their responsibilities. All staff and inmates informally interviewed during the tour acknowledged receiving training and procedures for reporting sexual abuse, sexual harassment, and/or retaliation for reporting. The auditor found the staff to be well versed in their duties as PREA 1st Responders.

The auditor interviewed a total of 10 random staff members during the course of this audit. Staff interviews consisted of: 8 security staff selected at random covering all shifts, 2 volunteer, 2 supervisors, 5 employees informally selected during the facility tour, and 9 specialized staff who has multiple roles that encompasses all specialized staff interviews. All staff interviewed was well versed in their respective areas of responsibility regarding PREA and affirmed compliance with the applicable PREA standards. There is no SAFE or SANE staff at the facility; they are made available through a Memorandum of Understanding with the Livingston Regional Medical Center in Livingston, Tennessee. The Overton County Sheriff's Department has a Memorandum of Understanding with the Genesis House for victim advocacy services. Staff interviewed was well versed in their responsibilities in reporting sexual abuse, sexual harassment, staff negligence, and retaliation for reporting. It was clear the staff received and understood training on how to communicate with LGBTI inmates, how to avoid inappropriate relations with inmates and how they could privately report sexual abuse. When questioned about zero tolerance and evidence preservation, all staff responses reflected knowledge of agency policies and procedures.

There were 20 inmates interviewed during the on-site visit; 12 male and 8 female. There were six inmates currently in custody at the time of the on-site review that fell into the targeted interview category; 2 that identified as LBGTI, 2 that screened for risk of victimization and 2 with disabilities. All of the inmates interviewed acknowledged receiving PREA training and written materials in languages that they could comprehend (posters, pamphlets, and resident handbooks) outlining the agencies zero tolerance policies towards sexual abuse, sexual harassment, and retaliation for reporting, as well as the procedures for reporting. Records indicate the PREA video is played routinely in the multi-purpose room; all inmates indicated they had watched the PREA video. All inmates interviewed felt if they had to file a PREA complaint the facility would respond appropriately to their complaint and that all PREA complaints were taken very serious by staff at this facility. All inmates stated they felt safe in the facility.

The auditor did not receive any correspondence from inmates or staff prior to the on-site review or through the corrective action period. The auditor selected and carefully examined 5 human resource and training files, and 2 volunteer and 1 contractor files. The personnel and training files were very well organized and contained all the necessary background check information and signed statements regarding previous sexual misconduct described in the standards. There was one instance where the Overton County Sheriff's Department request information from previous institutional employers; this was confirmed by the Jail Administrator. The training records were also very complete and included written documentation that staff and volunteers received the required training and understood what was being trained. It was clear the PREA Coordinator thoroughly covers all aspects of PREA during her training sessions.

The auditor also reviewed 10 offender files and saw documentation of offender education, as well as documentation of the initial risk screenings, and screenings upon additional information being completed as required by the standard. 7 out of 10 files were found to not be in compliance during the onsite review. It was agreed that the Auditor would return on December 14th to review compliance issues with standard 115.41.

In the 12 months preceding the audit, the Overton County Jail investigated one complaint concerning sexual abuse or sexual harassment. Policy and forms are in place for documenting inmate notification, incident review and retaliations monitoring. Policy and procedure required that criminal investigative referrals were to be documented and proper referrals were made as warranted.

The investigations were broken down as follows:

Inmate on Inmate	Sexual Harassment	Substantiated	3 rd Party Reported
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Due to the final disposition of the one case (all unfounded); there were no referrals for prosecution for filing false report, no 30 Day Incident Reviews, nor were there any retaliation monitoring for review.

At the conclusion of the on-site visit, an exit meeting was held on August 8, 2018 at approximately 1330 to discuss the audit findings. The following staff attended:

Shelley Sloan, Jail Administrator

During the exit, the auditor explained the process that would follow the on-site visit. The auditor also explained any areas found not meeting the standards during the audit would require corrective measures and he would be working closely with the PREA team to accomplish compliance. It was agreed that the Auditor would return on December 14th review compliance issues with standard 115.41. Finally, the auditor acknowledged the willingness of all staff involved to accomplish PREA compliance and advised the PREA team of their requirements to post the final report on the facility website once compliance with all standards was achieved.

The auditor made a second site visit on December 14, 2018 and found there were still a few inconsistencies in the screening process. The auditor and Jail administrator agreed that the process should be 100% accurate. A third onsite visit was scheduled for February 4, 2019. During the third onsite visit, 10 inmates were randomly selected from the housing rosters by the auditor. The auditor ensured at least one inmate from each housing area was selected and both males and females were among the sampling group. 10 out of 10 records reviewed showed 100% compliance for screening, rescreening and education. The auditor then interviewed each of the 10 inmates. All inmates interviewed confirmed they were screened within 72 hours, rescreened within 30 days, watched the PREA video within 30 days of intake and all stated they felt safe in the facility. Therefore, the facility does demonstrate compliance with this part of the standard during this audit.

Facility Characteristics

The criminal justice center houses the Overton County Jail and is located on 3.6 Acres of county-owned property at 1010 John T. Poindexter Drive in Livingston, Tennessee. The building itself covers approximately .7 acres. Within the criminal justice center, you will find the Overton County Sheriff's Department, the Overton County Jail, and upstairs Circuit and General Sessions Courts. Inmates do not have to leave the building to attend court.

The Overton County Jail consists of circular corridor joining each concrete housing unit that contains the housing pods, a laundry room, kitchen with 6 female inmate workers and medical office. There is a second floor with elevator access. The facility utilizes approximately 40 inmate workers in various job positions. The Overton County Jail has 79 cameras in the facility on 2 DVR stored for 30 days. Overton County Jail utilizes SOMS as their Jail Management System. The booking area is at the north end of the building with a sallyport attached. The booking area is open with an Identification Office and three small holding cells attached. The booking area is also adjacent to the Administrative Office of the Sheriff and Chief Deputy. The facility opened in 2001. Commissary is with Keefe. The Overton County Jail has approximately 81 volunteers. The facility has one full-time nurse through Southern Health Partners.

The Overton County Jail utilizes an indirect supervision concept where inmates live in one of nine pods (or the intake area for a brief period) with a capacity of 145 beds. The inmates are housed based upon needs and their respective level of classification. The pods range in beds from 2 to 55, depending the type of inmate. All inmates are supervised by two shifts of well-trained corrections officers and support staff and no inmate is ever given control over another inmate. Overton County Jail houses minimum, medium and maximum custody inmates, serving county and state sentences not exceeding three years. The nine housing units are broken down as follows:

Housing unit	Capacity	Male/Female	Custody level	Type
Max	55	Male	Medium/Maximum	1-6 Person Cell
126	16	Male	Minimum/Medium	Dormitory
133	16	Male	Minimum/Medium	Dormitory
140	16	Male	Minimum/Medium	Dormitory
230	2	Female	Segregation	Segregation
231	2	Female	Segregation	Segregation
239	16	Female	Minimum/Medium	Dormitory
240	16	Female	Minimum/Medium	Dormitory
247	6	Female	Minimum	Dormitory

A Overton County Criminal Investigator investigates incidents that occur in the jail, as well as his other duties assigned by the Sheriff. IF the incident involves sexual abuse, the specialized trained Overton County Criminal Detective will be the lead investigator in the potential criminal case. The Investigator was well training in conducting investigations in a correctional setting. All new Corrections Officer complete the Tennessee Corrections Institute Corrections Training Program prior to working with inmates. The program is two weeks in length. Within their first year of employment, Corrections Officers are required to complete 40 hours of training to be certified by the Tennessee Corrections Institute. Each year therefore, corrections Office are required to complete 40 hours of in-service training; which includes PREA. The Overton County Jail is in compliance with the Tennessee Corrections Institute.

Summary of Audit Findings

Number of Standards Exceeded:

Number of Standards Met:

115.11, 115.12, 115.13, 115.15, 115.14, 115.16, 115.17, 115.18, 115.21, 115.31, 115.32, 115.33, 115.34, 115.35, 115.41, 115.42, 115.43, 115.51, 115.52, 115.53, 115.54, 115.61, 115.62, 115.63, 115.64, 115.65, 115.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115.73, 115.78, 115.81, 115.82, 115.86, 115.87, 115.88, 155.89 115.401, 115.403

Number of Standards Not Met:

Summary of Corrective Action (if any)

N/A

The Overton County Jail was found to be in compliance with all PREA standards.

PREVENTION PLANNING

Standard 115.11: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.11 (a)

- Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment? Yes No
- Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment? Yes No

115.11 (b)

- Has the agency employed or designated an agency-wide PREA Coordinator? Yes No
- Is the PREA Coordinator position in the upper-level of the agency hierarchy? Yes No
- Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?
 Yes No

115.11 (c)

- If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.) Yes No NA
- Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

**Instructions for Overall Compliance Determination Narrative
Evidence Reviewed:**

A. Documents

- 1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Policy 5.3 Jail PREA Policy**
- 4. Post Order 5.44 PREA Coordinator**
- 5. Organizational Chart**
- 6. Letter of Appointment**

B. Interview

- 1. PREA Coordinator**

115.11 (a) The Overton County Jail staff follows the Jail PREA Policy 5.3 (page 4), on Sexual Harassment/Sexual Abuse which mandates a zero tolerance for all forms of sexual abuse and sexual harassment. This policy outlines the agency's approach to preventing, detecting, and responding to such conduct. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.11 (B) and (C) The agency employs an upper-level, agency-wide PREA Coordinator. The Overton County Post Order 5.44 outlines the responsibilities of the PREA Coordinator. Patti Hensley was appointed as the agency-wide PREA Coordinator by the Overton County Sheriff. The facility provided the auditor with the organizational chart showing the PREA Coordinator position as an upper-level, agency-wide position. The PREA Coordinator is very knowledgeable of the PREA standards and actively assists the facility with compliance. The PREA Coordinator has the authority to develop, implement, and oversee PREA compliance. She is actively updating the facility as new Frequently Ask Questions (FAQ's) results are published on the PREA Resource Center website. The PREA Coordinator reports to the Jail Administrator; the Jail Administrator reports to the Chief Deputy. The Agency has one facility; therefore does not have a PREA Manager.

During an interview with the PREA Coordinator, she indicated they had sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards as required. Therefore, the facility meets compliance with this part of the standard during this audit.

Standard 115.12: Contracting with other entities for the confinement of inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.12 (a)

- If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other

entities for the confinement of inmates.) Yes No NA

115.12 (b)

- Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates OR the response to 115.12(a)-1 is "NO".) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on the documentation provided as well as staff interviews it was determined the Overton County Jail does not contract with other facilities to house inmates assigned to their custody. This is outlined in policy 5.4, page 1 and confirmed during an interview with the Jail Administrator. Therefore, this standard was found to be compliant to this facility during this audit.

Standard 115.13: Supervision and monitoring

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.13 (a)

- Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No
- Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring? Yes No

- Does the agency ensure that each facility’s staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility’s staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility’s staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility’s staffing plan takes into consideration all components of the facility’s physical plant (including “blind-spots” or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility’s staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility’s staffing plan takes into consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility’s staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring? Yes No NA
- Does the agency ensure that each facility’s staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility’s staffing plan takes into consideration the prevalence of substantiated and unsubstantiated incidents of sexual abuse in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility’s staffing plan takes into consideration any other relevant factors in calculating adequate staffing levels and determining the need for video monitoring? Yes No

115.13 (b)

- In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)
 Yes No NA

115.13 (c)

- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section? Yes No
- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies? Yes No
- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan? Yes No

115.13 (d)

- Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment? Yes No
- Is this policy and practice implemented for night shifts as well as day shifts? Yes No
- Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Policy 5.5 Overton County Jail PREA Policy
4. Staffing Plan/Annual Staffing Analysis Form
5. Corrections Division Staff Deviation Notification Form
6. Unannounced Round Documentation "Daily Ops Logs"

B. Interviews

- 1. Jail Administrator**
- 2. PREA Coordinator**
- 3. Upper Level Supervisors conduction Unannounced Rounds**

C. Other

- 1. Personal Observation during Site Review**

The following delineates the audit findings regarding this standard:

115.13 (a) The Agency did have a comprehensive PREA Staffing Plan at the time of the onsite review.

The established staffing plan utilizes the criteria found in the standard 115.13 (a) to include the physical layout of the facility, composition of the inmates housed, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, and any other relevant factors identified. Video monitoring is deployed to assist with the protection of offenders against sexual abuse at this facility. The staffing levels are monitored daily by review of shift rosters. The staffing plan does take into consideration:

- Generally accepted detention and correctional practices;
- Any judicial findings of inadequacies (there were none at the time of the site review)
- Any findings of inadequacies from Federal investigation oversight agencies (there were none at the time of the site review)
- Any findings of inadequacy form internal or external oversight bodies (there were none at the time of the site review)
- All components of the facility's physical plant (Intake/Kitchen/Laundry)
- The composition of the inmate population (adult males and adult females only)
- The number and placement of supervisory staff (one per shift)
- Institution programs occurring on a particular shift (classroom)
- Any applicable State or local laws, regulation, or standards (Tennessee Corrections Institute Standards)
- The prevalence of substantiated and unsubstantiated incidents of sexual abuse, and
- Any other relevant factors.

Overton County developed a staff plan in accordance with the requirements of 115.13 (a). The staffing plan was completed on 01/30/18. The staffing plan was completed by the PREA Coordinator, forwarded to the Jail Administrator and Sheriff. The established staffing plan used the criteria found in the standard 115.13 (a) to include the physical layout of the facility, composition of the inmates housed, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, and any other relevant factors identified. Video monitoring has been deployed to assist with the protection of offenders against sexual abuse at this facility. The staffing levels are monitored daily by review of shift rosters. The Shift Daily report is forwarded to the Jail Administrator daily for compliance purposes. This was confirmed during an interview with the PREA Coordinator. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.13 (b) The agency has a comprehensive PREA Staffing Plan. The facility has implemented procedures to ensure all deviations are covered. All deviations are documented on the "Corrections Division Staff Deviation Notification Form" and the PREA Coordinator is notified. The staffing plan

was completed by the PREA Coordinator, forwarded to the Jail Administrator and Sheriff. This was confirmed during an interview with the Jail Administrator. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.13 (c) The Agency has a comprehensive PREA Staffing Plan. The facility has implemented procedures to ensure all deviations are covered. All deviations are documented on the “Corrections Division Staff Deviation Notification Form” and the PREA Coordinator is notified; there have not been any deviations to the staffing plan as of the date of the on-site review. This was confirmed during an interview with the Jail Administrator. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.13 (d) Based on Overton County Jail Shift Supervisor facility logs, staff interviews, policy 5.5 (page 1), and other documentation provided. The on-duty supervisor is required to conduct and documenting UNANNOUNCED rounds on all shifts as required. All inmates interviewed confirmed supervisors are in their housing units multiple times a day. Rounds are conducted and documented at least once every shift. Rounds are completed each shift and supervisors that were interviewed stated they change their routine or pattern each day to ensure that staff and inmates are not alerted. Rounds are documented in the log book in the “Daily OPS Log” and in Central Control’s log. The auditor reviewed numerous entries in the “Daily OPS Log” confirming this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.14: Youthful inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.14 (a)

- Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA

115.14 (b)

- In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA
- In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA

115.14 (c)

- Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates [inmates <18 years old].)
 Yes No NA
- Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA
- Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates [inmates <18 years old].)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Policy 5.6 Overton County Jail PREA Policy

B. Interviews

1. Jail Administrator

Based on the policy 5.6 (page 1) provided and interview with the Jail Administrator, the Overton County Jail is an all adult facility and does not house youthful offenders. No youthful offenders were observed during the site review. Therefore, this standard was found to be compliant to this facility during this audit.

Standard 115.15: Limits to cross-gender viewing and searches

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.15 (a)

- Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?
 Yes No

115.15 (b)

- Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20, 2017.) Yes No NA
- Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A here for facilities with less than 50 inmates before August 20, 2017.) Yes No NA

115.15 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? Yes No
- Does the facility document all cross-gender pat-down searches of female inmates?
 Yes No

115.15 (d)

- Does the facility implement a policy and practice that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks? Yes No
- Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit? Yes No

115.15 (e)

- Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status? Yes No
- If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that

information as part of a broader medical examination conducted in private by a medical practitioner? Yes No

115.15 (f)

- 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 No
- Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Policy 5.7 Overton County Jail PREA Policy
4. Training Curriculum and Logs

B. Interviews

1. Random Staff
2. Random Inmates
3. Jail Administrator

C. Other

1. Observation during Site Review

The following delineates the audit findings regarding this standard:

115.15 (a) Overton County Jail policy 5.7 (page 1) outlines offender searches including searches of transgender and intersex offenders. The review of training curriculums and staff interviews revealed cross gender strip searches are prohibited except in exigent circumstances and must be documented when conducted. The agency has logs to document exigent circumstances when

appropriate. There have been no documented cross-gender visual body cavity or strip searches reported in the past 12 months. All staff and all inmates interviewed confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (b) Overton County Jail Policy 5.7 (page 1) prohibits male employees from frisk/pat searches of female inmates/inmates except in exigent circumstances. The agency has logs to document exigent circumstances when appropriate. All staff and all inmates interviewed confirmed this practice. All inmates stated there are always both genders working each shift daily. Therefore, the facility demonstrated compliance with this part of the standard during this audit. The Jail Administrator confirmed there were no occasions where male employees searched any female inmate, either frisk/pat or strip-search. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (c) Overton County Jail policy 5.7 (page 1), prohibits frisk/pat searches of the female inmates by male staff and requires that all cross-gender searches in exigent circumstances be documented. The agency has logs to document exigent circumstances when appropriate. Interviews with random staff and Jail Administrator confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (d) Overton County Jail policy 5.7 does outline that inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia. All inmates confirmed during interviews they have privacy when showering, using the toilets and while changing their clothes. Overton County Jail policy 5.7 (page 1) also requires staff of the opposite gender to announce their presence prior to entering the housing units. All staff and inmates interviewed stated "opposite gender announcements" are always made. Opposite gender staff are accompanied by the gender of the inmate population in each housing unit. Inmate and staff interviews revealed that opposite gender announcements were common practice at this facility and reminders of this requirement are posted on the entry doors of all housing units exceeding the requirements of this part of the standard during this audit. Policy also requires that transgender inmates will be given the opportunity to shower alone, at the time of the onsite review; there were no transgender inmates in custody. During the past 12 months, there have not been any transgender inmates booked into the Overton County Jail. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (e) Based on Overton County Jail policy 5.7, training curriculum provided and staff interviews the facility prohibits staff from physically examining transgender or intersex inmates for the sole purpose of determining genital status. Ten out of ten Staff Training Logs showed all completed the approved training. If the inmate's genital status is unknown, it is 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. At the time of the site review, there were no transgender or intersex inmates to interview concerning this standard. During the past 12 months, there were no incidents where the Medical Staff had to perform an examination that fell within said parameters. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (f) Based on Overton County Jail policy 5.7, training curriculum provided, ten out of ten staff training file reviews, and staff interviews; the facility trains security staff to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. During interview with the random inmates, it was confirmed that the inmate felt the staff conducts proper searches.

There were also no complaints filed by the LGBTI inmate in the past 12 months related to searches. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.16: Inmates with disabilities and inmates who are limited English proficient

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.16 (a)

- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes)? Yes No
- Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing? Yes No
- 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 No

- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Are blind or have low vision? Yes No

115.16 (b)

- Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient? Yes No
- Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? Yes No

115.16 (c)

- Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Jail 5.8 PREA Policy
4. Overton County Sheriff's Department Intake Form (English and Spanish)

- 5. Language Line Services Contract**
- 6. Posted Information**
- 7. Lesson Plan and Training Logs**

B. Interviews

- 1. PREA Coordinator**
- 2. Random Staff**

C. Other

- 1. TDD Phone**
- 2. Personal Observation**

The following delineates the audit findings regarding this standard:

115.16 (a) The Overton County Jail policy 5.8 (page 1) indicates that the Overton County Jail takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, have an equal opportunity to participate in or benefit from all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. The agency assists those inmates who are blind or low vision, or have intellectual disabilities, psychiatric, or speech disabilities by assigning a designated staff member to assist them; as it pertains to understanding PREA information/education/training. For inmates that are blind, staff shall read all PREA material aloud to ensure complete understanding of the agency's policy, procedure, and inmate training as it pertains to PREA. Staff will also ensure those inmate with intellectual disabilities, psychiatric or speech disabilities under understand the agency's policy, procedure, and inmate training as it pertains to PREA before being housed form Intake. PREA handouts, PREA postings, PREA education video, and the inmate handbook are provided in both English and Spanish. The TDD phone was tested for functionality by the Jail Administrator. There were no inmates with disabilities incarcerated during the time of the audit. The inmates and staff also confirmed that interpretive services are available when needed. The agency utilizes Language Line Services; contract was signed on 04/20/18. The Overton County Jail has not had the need to utilize Language Line Services during the past 12 months. Usage would be documented on the "Daily Ops Log." At the time of the onsite visit, the Overton County Jail did house two inmates with disabilities; both were interviewed by the auditor. Both inmates stated they understood how to report a sexual assault/sexual harassment; and both stated they felt safe in the facility. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.16 (b) The Overton County Jail takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively accurately and impartially. Language Line Services and/or staff interpreters are used to translate at this facility. The Overton County Jail has not had the need to utilize Language Line Services during the past 12 months. There were no limited English speaking inmates or inmates with disabilities incarcerated at the time of the on-site review. The staff also confirmed that interpretive services are available when needed. This process is documented on page 1 of the Overton County Jail policy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.16 (c) Overton County Jail policy 5.8 (page 1), illustrates the agency does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. In the past 12 months, there have not been any Limited English Proficient inmates incarcerated in the Overton County Jail. Language Line Services and/or staff interpreters are used to translate at this facility. The Jail Administrator advised during this audit cycle there were no instances where an inmate interpreter had to be utilized. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.17: Hiring and promotion decisions

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.17 (a)

- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? Yes No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? Yes No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No

115.17 (b)

- Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates? Yes No

115.17 (c)

- Before hiring new employees, who may have contact with inmates, does the agency: perform a criminal background records check? Yes No
- Before hiring new employees, who may have contact with inmates, does the agency: 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? Yes No

115.17 (d)

- Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates? Yes No

115.17 (e)

- Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees? Yes No

115.17 (f)

- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions? Yes No
- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees? Yes No
- Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct? Yes No

115.17 (g)

- Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination? Yes No

115.17 (h)

- 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Policy 5.9 Overton County Jail PREA Policy**
4. **Background Checks (10)**
5. **Self-Declaration of Sexual Harassment and Sexual Abuse**
6. **Documentation for Previous Employers**

B. Interviews

1. **Human Resource Staff**
2. **Jail Administrator**

The following delineates the audit findings regarding this standard:

115.17 (a) According to agency policy 5.9 (page 1), Overton County Jail does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor or volunteer who may have contact with inmates, who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above. The agency does have a PREA Self-Declaration of Sexual Harassment and Sexual Abuse on all applicants as well as a background check is completed by the Overton County Sheriff's Department on all new applicants confirming compliance. Review of Human Resource files confirms this practice. Overton County Jail has developed and implemented a Self-Declaration of Sexual Abuse/Sexual Harassment form. It is being utilized for all applicants, employees, Unescorted Contractors/Volunteers and anytime an employee is promoted within the organization. Ten personnel records were reviewed and all ten had a signed Self-Declaration of Sexual Abuse/Sexual Harassment Form. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.17 (b) Overton County Jail policy 5.9 (page 1), the Overton County Sheriff's Department considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor or volunteer, who may have contact with inmates. Interview with the Human Resource staff confirms this practice. Examples of this process were reviewed by

the auditor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (c)-1 Overton County Jail requires a criminal background records check be completed before hiring any new employee. Ten out of ten Human Resource files that were reviewed showed compliance. Interview with Human Resource Staff corroborates compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

(c)-2 Overton County Jail makes their best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegation of sexual abuse. This request is documented on PREA Questionnaire for Prior Institutional Employer Form. The auditor reviewed one such request. This was also corroborated during an interview with the Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (d) According to policy 5.9 (page 1), Overton County Jail requires a criminal background records check be completed before enlisting the services of any contractor or volunteer who may have contact with the inmates. Review of two volunteer files confirmed compliance. Interview with Human Resource Staff corroborates compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (e) According to policy 5.9 (page 1), Overton County Jail conducts criminal background records checks annually on all current employees and contractors who may have contact with inmates. Ten employee Human Resource files were reviewed and ten out of ten confirmed this practice. Two contractor files were reviewed and two out of two confirmed this practice. Interview with Human Resource Staff corroborates compliance. Therefore, the facility exceeds compliance with this part of the standard during this audit.

115.17 (f) Overton County Jail policy 5.9 (page 1), mandates that all employees have a continuing affirmative duty to disclose any sexual misconduct as required by this standard. The agency does have a PREA Self-Declaration for Sexual Harassment and Sexual Abuse form on all applicants as well as a background check is completed by the Overton County Sheriff's Department on all new applicants confirming compliance. Review of Human Resource files confirms this practice. The form is being utilized for all applicants, employees, Unescorted Contractors/Volunteers and anytime an employee is promoted within the organization. Ten Human Resource files were reviewed and all ten had a signed Self-Declaration of Sexual Abuse/Sexual Harassment Form. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.17 (g) Overton County Sheriff's Department policy 5.9 (page 1), mandates that material omissions regarding sexual misconduct, and the provision of materially giving false information, are grounds for termination as required by this standard. During the past twelve months, there was no incident that was applicable for this section of the standard. Interview with the PREA Coordinator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (h) Overton County Sheriff's Department policy 5.9 (page 1), requires that the agency shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a current or former employee upon receiving a request from an institutional employer for whom such employee has applied to work. During the past twelve months, there was no incident that was applicable for this section of the standard. Interview with the Jail Administrator reiterated this

process. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.18: Upgrades to facilities and technologies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.18 (a)

- If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)
 Yes No NA

115.18 (b)

- If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Jail 5.10 PREA Policy

B. Interviews

1. PREA Coordinator
2. Jail Administrator

C. Other

1. Observation during Site Review

The following delineates the audit findings regarding this standard:

115.18 (a) Overton County Jail policy 5.10 (page 1), requires when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse. During this audit cycle there have been no expansions or modifications to this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.18 (b) Overton County Jail requires when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse. This was reaffirmed during an interview with the Jail Administrator and PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

During this audit cycle there has been additions to the video technology at this facility. Staff as well as inmates confirmed during interviews they felt safe in the facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

RESPONSIVE PLANNING

Standard 115.21: Evidence protocol and forensic medical examinations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.21 (a)

- 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 No NA

115.21 (b)

- Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) Yes No NA

- Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Office of Justice’s Office on Violence against Women publication, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents,” or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) Yes No NA

115.21 (c)

- 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 evidentiary or medically appropriate? Yes No
- Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible? Yes No
- 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 No
- Has the agency documented its efforts to provide SAFEs or SANEs? Yes No

115.21 (d)

- Does the agency attempt to make available to the victim a victim advocate from a rape crisis center? Yes No
- 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 No
- Has the agency documented its efforts to secure services from rape crisis centers? Yes No

115.21 (e)

- 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 No
- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals? Yes No

115.21 (f)

- If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity 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.) Yes No NA

115.21 (g)

- Auditor is not required to audit this provision.

115.21 (h)

- 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 115.21(d) above.] Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Jail 5.11 PREA Policy
4. Memorandum of Understanding with Genesis House

B. Interviews

1. PREA Coordinator
2. PREA Investigator
3. Random Staff

The following delineates the audit findings regarding this standard:

115.21 (a) and (b) Overton County Jail complies with all elements of this standard. The agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings. The Overton County Sheriff's investigates all PREA complaints for potential criminal activity and maintains a close working relationship with the Overton County Prosecutor. Interview with the Agency's PREA Investigator confirms this practice. Training file shows the investigator has received specialized training in the area of "sexual abuse in a

confinement setting”. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (c) Overton County Jail offers all victims of sexual abuse access to forensic medical examinations at the Livingston Regional Medical Center without financial cost, where evidentiary or medically appropriate. Such examinations are to be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) as required. The Overton County Jail has a Memorandum of Understanding with Livingston Regional Medical Center. During the past 12 months, there has not been an incident where this service was needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (d) The Overton County Jail has entered into a Memorandum of Understanding with the Genesis House which agrees to provide outside victim advocacies services to the inmates. The services of these victim advocates has not been requested or used by the inmates during this audit cycle. Review of the MOU confirms this agreement. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (e) Overton County Jail has entered into a Memorandum of Understanding with the Genesis House which agrees to provide outside victim advocacies services to the inmates upon request. The facility also makes available to the victim a qualified agency staff member, upon request by the victim, who will accompany and support the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals as warranted. During the past 12 months, there has not been an incident where this service was needed. Policy 5.11 (page 1), and interview with the Jail Administrator confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (f) The Overton County Jail is responsible for administrative and criminal investigations with the cooperation of the Overton County District Attorney’s Office covering all aspects of this standard. Interviews with random staff and the PREA Coordinator corroborate policy 5.11 (page 1). Interviews with the PREA Coordinator and PREA Investigator corroborated this process. Therefore, this part of the standard is not applicable to this facility.

Standard 115.22: Policies to ensure referrals of allegations for investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.22 (a)

- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse? Yes No

- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment? Yes No

115.22 (b)

- Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior? Yes No
- Has the agency published such policy on its website or, if it does not have one, made the policy available through other means? Yes No
- Does the agency document all such referrals? Yes No

115.22 (c)

- If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? [N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).] Yes No NA

115.22 (d)

- Auditor is not required to audit this provision.

115.22 (e)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Jail 5.16 PREA Policy
4. Referral Documentation

B. Interviews

1. PREA Coordinator
2. Facility Investigator

C. Other

1. Auditor Observation

The following delineates the audit findings regarding this standard:

115.22 (a) According to policy 5.16 (page 1), the Overton County Jail is required to investigate ALL PREA complaints received at this facility. All potential criminal activity is referred to the PREA Investigator assigned to the Overton County Jail for the Overton County Sheriff's Office. There was one report of sexual harassment referred and investigated during this audit cycle. Interview with the PREA investigator and review of the one investigative file confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (b) All PREA allegations are investigated by the Overton County Jail for potential criminal activity. If it is determined that the allegation involves potential criminal activity, it is referred to the PREA Investigator of the Overton County Sheriff's Department for criminal investigation and prosecution as warranted. This policy is posted in the facility's website as required. During the past twelve months, there was only one sexual harassment investigation and no investigations of sexual abuse. Review of investigative files and an interview with the PREA Investigator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (c) The Overton County Jail refers all criminal allegations for investigation to the designated PREA Investigator of the Overton County Sheriff's Department. The requirements of this part of the standard are outlined in the policy that is posted on the facility's website (www.overtonsheriff.com). Therefore, the facility demonstrated compliance with this part of the standard during this audit.

TRAINING AND EDUCATION

Standard 115.31: Employee training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.31 (a)

- Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures? Yes No
- Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment Yes No

- Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement? Yes No
- Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims? Yes No
- Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse? Yes No
- Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates? Yes No
- Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates? Yes No
- Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities? Yes No

115.31 (b)

- Is such training tailored to the gender of the inmates at the employee's facility? Yes No
- Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa? Yes No

115.31 (c)

- Have all current employees who may have contact with inmates received such training? Yes No
- 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 No
- In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies? Yes No

115.31 (d)

- Does the agency document, through employee signature or electronic verification, that employees understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Overton County Sheriff's Department Jail 5.38 PREA Policy**
4. **Employee Training Files (10)**
5. **Curriculum and Training Roster**
6. **Acknowledgement Training Form**

B. Interviews

1. **Random Staff**

The following delineates the audit findings regarding this standard:

115.31 (a) Overton County Jail training all their employees who have contact with inmates on:

- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
- (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- (3) Inmates' right to be free from sexual abuse and sexual harassment;
- (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- (5) The dynamics of sexual abuse and sexual harassment in confinement;
- (6) The common reactions of sexual abuse and sexual harassment victims;
- (7) How to detect and respond to signs of threatened and actual sexual abuse;
- (8) How to avoid inappropriate relationships with inmates;
- (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Review of the training curriculum confirms this process. Employees sign training rosters, indicating they have received and understood the above listed training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (b) The training is tailored to both male and female gender of the inmates at Overton County Jail. Review of the training curriculum and training material corroborates this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (c) The training staff provided a report containing all staff that had been PREA trained which confirmed the requirements needed to meet the standard and proved that all current staff was trained within one year of the effective date of the PREA standards. All staff receive annual refresher PREA training during in-service according to policy 5.38 (page 1) which meets the requirements of this standard. Training records are stored in the Tennessee Corrections Institute Portal. This is a statewide database; in which, all Tennessee Counties submit training records for all correctional staff. Therefore, the facility meets this part of the standard during this audit.

115.31 (d) Overton County has a specific form (#1020) for employees to sign acknowledging they have received and understand the PREA training, the PREA Training Acknowledgement Form. Training records are stored in the Tennessee Corrections Institute Portal. Ten of ten training records confirmed this practice. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

Standard 115.32: Volunteer and contractor training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.32 (a)

- Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures? Yes No

115.32 (b)

- Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)? Yes No

115.32 (c)

- Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Overton County Sheriff's Department Jail 5.39 PREA Policy**
4. **Training Files**
5. **Training Curriculum and Training Rosters**
6. **Training Acknowledgement Form # 1027**

B. Interviews

1. **Volunteers**
2. **Contractors**

The following delineates the audit findings regarding this standard:

115.32 (a) Policy 5.39 (page 1), Overton County Jail ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Overton County Jail's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Interview with a volunteer and contractor confirmed they received and understood PREA training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.32 (b) The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of Overton County Jail's zero-tolerance policy regarding sexual abuse and sexual harassment and their requirements to report such incidents. Volunteers and contractors were well versed in First Responder duties. It is the practice of the Overton County Jail, that volunteers and contractor are always escorted inside the Overton County Jail. During the past 12 months, there were no volunteers or contracts who acted as First Responders to a sexual abuse incident. Review of training files and curriculum confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.32 (c) The Overton County Jail has developed and implemented the "Volunteer/Contractor PREA Training Acknowledgement Form". The volunteer/contractor signs this form acknowledging that he/she has received and understood the training on the PREA Rape Elimination Act provided by the Overton County Sheriff's Department. The form covers the agency's policy, definitions, prohibited actions, reporting requirements and acknowledgment of the training. Two volunteer training records were randomly reviewed; both had signed "Volunteer/Contractor Receipt of PREA Training". Two contractor training records were randomly reviewed; both had signed "Volunteer/Contractor Receipt of PREA Training". Volunteers and contractors were well versed in First Responder duties. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

Standard 115.33: Inmate education

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.33 (a)

- During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment? Yes No
- During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment? Yes No

115.33 (b)

- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment? Yes No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents? Yes No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents? Yes No

115.33 (c)

- Have all inmates received such education? Yes No
- Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?
 Yes No

115.33 (d)

- Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are deaf? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled? Yes No

- Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills? Yes No

115.33 (e)

- Does the agency maintain documentation of inmate participation in these education sessions? Yes No

115.33 (f)

- In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.40 PREA Policy
4. OCSD Intake Form
5. Inmate Training Records
6. PREA Training Acknowledgement Form # 1019
7. Reassessment Documentation

B. Interviews

1. Intake Staff
2. Random Inmates
3. PREA Coordinator

C. Other

1. PREA Video
2. LEP Brochure and Poster Material

The following delineates the audit findings regarding this standard:

115.33 (a) Overton County Policy 5.40 (page 1) states that during the intake process, inmates receive information explaining Overton County Jail's zero-tolerance policy regarding sexual abuse

and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The information is on a brochure and is part of their intake packet. This process was corroborated during interviews with Intake Staff and random inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (b) During the intake process, Overton County Jail provides comprehensive education to the inmates, administered by video, regarding 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. Participation is properly documented. The Overton County Jail has each inmate sign the "Inmate PREA Training Acknowledgement Form # 1019". This form signifies they have received PREA training, know all the ways to report sexual abuse and sexual harassment and have been given the telephone number and address to the Genesis House. There are a total of nine bullets on this training acknowledgement form. All inmates interviewed, confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (c) During interviews with random inmates, Overton County Jail has provided such education within one year of the effective date of the PREA standards to all its inmates, Overton County operates one facility; therefore, there are no inter-agency facility transfers. This was also confirmed by the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (d) Overton County Jail provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. The facility has an agreement with Language Line Services as well as TDD phones to assist inmates with these disabilities. A functionality test was successfully performed on the TDD phone by the Jail Administrator. The facility will assign staff as needed to ensure comprehension is achieved by inmates with disabilities. At the time of the onsite review, there were no inmates with disabilities to interview. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (e) There was documentation provided of inmates participation in PREA educational sessions as required by this part of the standard. All interviews with random inmates and review of intake files confirmed this practice. The Overton County Jail has each inmate sign the "Inmate PREA Training Acknowledgement Form". This form signifies they have received PREA training, know all the ways to report sexual abuse and sexual harassment and have been given the telephone number and address to the Genesis House. Randomly, ten inmate records were reviewed and all ten had a signed "PREA Training Acknowledgement Form # 1019". Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (f) Overton County Jail does provide the inmates with posters in inmate accessible areas, pamphlets received upon intake, and an inmate handbook in English and Spanish outlining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Items were observed by the auditor during the site visit. Spanish information is also available on the pod kiosk located in each housing unit. There were no Limited English Proficient inmates to interview during the onsite visit. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.34: Specialized training: Investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.34 (a)

- In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).) Yes No NA

115.34 (b)

- Does this specialized training include techniques for interviewing sexual abuse victims? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include proper use of Miranda and Garrity warnings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include sexual abuse evidence collection in confinement settings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA

115.34 (c)

- Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA

115.34 (d)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

Exceeds Standard (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Overton County Sheriff's Department Jail 5.16 PREA Policy**
4. **Training File and Certificate**
5. **Training Curriculum**

B. Interviews

1. **PREA Investigator**

The following delineates the audit findings regarding this standard:

115.34 (a) The PREA Investigator has received the general PREA training provided to all employees (pursuant to 115.31. Overton County Jail ensures that the investigators have received training in conducting investigations in confinement settings. The PREA Investigator has completed the "Public Agency Training Council National Criminal Justice" course on investigating sexual assaults in a confinement setting. Review of the PREA Investigator's training file confirmed this practice. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.34 (b) Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The PREA Investigator has completed the "Public Agency Training Council National Criminal Justice" course on investigating sexual assaults in a confinement setting. Review of the PREA Investigator's training file confirmed this practice. This was confirmed during an interview with the PREA Investigator. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.34 (c) The PREA Investigators has completed the "Public Agency Training Council National Criminal Justice" course on investigating sexual assaults in a confinement setting. The PREA Investigator has completed the "Public Agency Training Council National Criminal Justice" course on investigating sexual assaults in a confinement setting. The investigator completed the PREA training as outlined in 115.31 and signed the "PREA Training Acknowledgement Form". This was confirmed during an interview with the PREA Investigator. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

Standard 115.35: Specialized training: Medical and mental health care

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.35 (a)

- 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? Yes No
- 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? Yes No
- 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? Yes No
- 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? Yes No

115.35 (b)

- If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams.) Yes No NA

115.35 (c)

- 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? Yes No

115.35 (d)

- Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? Yes No
- Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? Yes No

Auditor Overall Compliance Determination

Exceeds Standard (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Overton County Sheriff's Department Jail 5.39 PREA Policy**
4. **Training File**
5. **Southern Health Partners Specialized Training Curriculum**

B. Interviews

1. **Medical and Mental Health Staff**

The following delineates the audit findings regarding this standard:

115.35 (a) The PREA Specialized Medical/Mental Health training video, curriculum provided, training file Overton County Jail review and staff interviews revealed the agency has provided specialized training to all its medical and mental health staff on how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how to report allegations of sexual abuse and sexual harassment. Review of 2 contractor training files confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (b) The medical staff at this facility does not conduct forensic exams; such exams are conducted at Livingston Regional Medical Center. Interview with the Medical staff and PREA Coordinator confirmed this training. Therefore, this part of the standard is not applicable to this facility.

115.35 (c) Overton County Jail contracts with Southern Health Partners for medical and mental health services. The agency maintains documentation that all medical and mental health practitioners have received specialized training. Specialized training consisted of the Southern Health Partners Corporate PREA Training" course for medical and mental health staff on dealing with sexual abuse incidents in a confinement setting. Review of 2 contractor training files confirmed this practice. Training was confirmed during an interview with Southern Health Partner's staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (d) The Overton County Sheriff's Department Jail policy 5.39 (page 1) outline training requirements for Medical and Mental Health care staff. Medical and mental health care practitioners with Southern Health Partner also receive the annual training mandated for all employees, contractors, and volunteers. Interview with the Medical staff and Jail Administrator confirmed this

training. Review of 2 contractor training files confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

Standard 115.41: Screening for risk of victimization and abusiveness

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.41 (a)

- Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates? Yes No
- Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates? Yes No

115.41 (b)

- Do intake screenings ordinarily take place within 72 hours of arrival at the facility?
 Yes No

115.41 (c)

- Are all PREA screening assessments conducted using an objective screening instrument?
 Yes No

115.41 (d)

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?
 Yes No

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes? Yes No

115.41 (e)

- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse? Yes No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses? Yes No
- In assessing inmates 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 No

115.41 (f)

- Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening? Yes No

115.41 (g)

- Does the facility reassess an inmate's risk level when warranted due to a: Referral?
 Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Request?
 Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse?
 Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?
 Yes No

115.41 (h)

- Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section? Yes No

115.41 (i)

- Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.41 PREA Policy
4. Screening Tool
5. Reassessment Documentation

B. Interviews

1. PREA Coordinator
2. Screening Staff
3. Random Inmates

The following delineates the audit findings regarding this standard:

115.41 (a) Policy 5.41(page 1) states the Overton County Jail ensures that all inmates are assessed during intake and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. Overton County Sheriff's Department only has one correctional facility; therefore, there are no inmate transfers. Interview with the PREA Coordinator confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (b) The Overton County Jail provided documentation proving compliance with the standard that all inmates are screened for their risk of being sexually abused by other inmates or being sexually abusive toward other inmates normally upon intake but no later than 72 hours of arrival at the facility. All screening reviewed appeared to properly be completed and within the prior time frame. Six out of ten records reviewed showed 60% were compliant. Random inmate interviews corroborate this practice. Therefore, the facility did not demonstrated compliance initially with this part of the standard during this audit.

Corrective Action:

All intake staff must receive additional training on how to screen newly admitted inmates. The existing screening tool calculates victims and predators based on an objective scoring system. An agreement was made for the auditor to return to the facility on December 14, 2018 to review the agreed upon corrective action. All staff responsible for cell movements must be trained on this process.

Response to Corrective Action:

The auditor made a second site visit on December 14, 2018 and found there were still a few inconsistencies in the screening process. The auditor and Jail administrator agreed that the process should be 100% accurate. A third onsite visit was scheduled for February 4, 2019. During the third onsite visit, 10 inmates were randomly selected from the housing rosters by the auditor. The auditor ensured at least one inmate from each housing area was selected and both males and females were among the sampling group. Ten out of ten records reviewed showed 100% compliance. The auditor then interviewed each of the ten inmates. All inmates interviewed confirmed they were screened within 72 hours, rescreened within 30 days, watched the PREA video within 30 days of intake and all stated they felt safe in the facility. Therefore, the facility does demonstrate compliance with this part of the standard during this audit.

115.41 (c) Based on the documentation provided and inmate file reviews the facility utilizes an objective screening instrument that covers all aspects of this standard. Therefore, the facility does not demonstrated compliance with this part of the standard during this audit.

115.41 (d) The intake screening instrument used considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- (1) Whether the inmate has a mental, physical, or developmental disability;
- (2) The age of the inmate;
- (3) The physical build of the inmate;
- (4) Whether the inmate has previously been incarcerated;
- (5) Whether the inmate's criminal history is exclusively nonviolent;

- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;
- (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (8) Whether the inmate has previously experienced sexual victimization;
- (9) The inmate's own perception of vulnerability; and
- (10) Whether the inmate is detained solely for civil immigration purposes.

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (e) The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Overton County Jail, in assessing inmates for risk of being sexually abusive. Review of the screening tool confirms compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (f) Within 30 days from the inmate's arrival, the Overton County Jail PREA Coordinator will reassess each inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Overton County Jail since the intake screening. The PREA Coordinator maintains an organized filing system in her office to manage this task. The reassessment consists of a face-to-face interview with each inmate by the PREA Coordinator. File review (6 out of 10) and interview with the PREA Coordinator showed inconsistencies. Therefore, the facility did not initially demonstrate compliance with this part of the standard during this audit.

Corrective Action:

All intake staff must receive additional training on how to rescreen newly admitted inmates. The existing screening tool calculates victims and predators based on an objective scoring system. An agreement was made for the auditor to return to the facility on December 14, 2018 to review the agreed upon corrective action. All staff responsible for cell movements must be trained on this process.

Response to Corrective Action:

The auditor made a second site visit on December 14, 2018 and found there were still a few inconsistencies in the screening process. The auditor and Jail administrator agreed that the process should be 100% accurate. A third onsite visit was scheduled for February 4, 2019. During the third onsite visit, ten inmates were randomly selected from the housing rosters by the auditor. The auditor ensured at least one inmate from each housing area was selected and both males and females were among the sampling group. Ten out of Ten records reviewed showed 100% compliance. The auditor then interviewed each of the ten inmates. All inmates interviewed confirmed they were screened within 72 hours, rescreened within 30 days, watched the PREA video within 30 days of intake and all stated they felt safe in the facility. Therefore, the facility does demonstrate compliance with this part of the standard during this audit.

115.41 (g) Overton County Jail will reassess an inmate's risk level when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that is relevant to the inmate's risk of sexual victimization or abusiveness. In the past twelve months, Overton County Jail has not had a PREA incident or received any additional information that would trigger a rescreening. This practice was confirmed during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (h) Overton County Jail does not discipline inmates for refusing to answer screening questions or not disclosing complete information. Random inmates confirmed compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (i) Overton County Jail implements appropriate controls on the dissemination of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Screenings are considered confidential and forwarded to Medical and the PREA Coordinator for review. Based on policy review, interview with the PREA Coordinator, and interviews with the staff responsible for completing the screening, all information gathered on the screening instrument is restricted to staff making housing, work and program assignments. Screening documents are secured in the Medical Office and the Jail Administrator's Office. Reassessments are secured in the Jail Administrator's Office. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.42: Use of screening information

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.42 (a)

- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments? Yes No

115.42 (b)

- Does the agency make individualized determinations about how to ensure the safety of each inmate? Yes No

115.42 (c)

- When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)? Yes No
- When making housing or other program assignments for transgender or intersex inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems? Yes No

115.42 (d)

- Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate? Yes No

115.42 (e)

- Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments? Yes No

115.42 (f)

- Are transgender and intersex inmates given the opportunity to shower separately from other inmates? Yes No

115.42 (g)

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? Yes No
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? Yes No
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Overton County Sheriff's Department Jail 5.43 PREA Policy**
4. **PREA Housing and Program Form # 1022**

B. Interviews

1. **LGBTI Inmates**
2. **Screening Staff**
3. **PREA Coordinator**

The following delineates the audit findings regarding this standard:

115.42 (a) Policy 5.43 (page 1) details Overton County Jail's uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. During the site review, the auditor randomly reviewed housing and programming for screened inmates. The PREA Coordinator reviews all PREA screening; alert for aggressiveness and alerts for victimization are entered into the existing Jail Management System to enter in alerts for inmates at risk of victimization and inmates at risk of abusiveness. The results are clearly marked in SOMS and on the facility rosters. The PREA Coordinator ensures all referrals to mental health are completed. Records review showed five out of five inmates were properly referred. Policy 5.43 (page 1) has been revised illustrating this procedure. All staff responsible for cell movements reviewed the policy and acknowledged the revision. Therefore, the facility does demonstrate compliance with this part of the standard during this audit.

115.42 (b) Overton County Jail makes individualized determinations about how to ensure the safety of each inmate. This was corroborated during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (c) Overton County Jail outlines the procedures to be followed in deciding whether to assign a transgender inmate to a facility for male or female inmates, and the process for making housing and programming assignments, on case by case basis as required by this standard. At the time of the audit, Overton County Jail did not have any transgender inmates. The Overton County Jail has developed and implemented a Housing and Program Review form; this form shall be used anytime a transgender or intersex inmate is booked into the facility. The form is completed by a multi-disciplinary team. Items reviewed include:

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

The multi-disciplinary team documents recommendations for housing, worker status, education opportunities; as well as, programming. Based on interview with the LGBTI inmate housed at this facility the inmate confirmed feeling safe at the facility and felt staff considered the inmate's safety when making housing and programming assignments. There were no transgender inmates in custody at the time of the onsite visit. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.42 (d) Overton County Jail outlines the procedures for placement and programming assignments of each transgender or intersex inmate being reassessed at least twice per year to review any threats to safety experienced by the inmate as required by this standard. Policy 5.43 (page 1) and interview with the PREA Coordinator confirmed this procedure. There were no transgender or intersex inmates housed in the facility for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (e) Overton County Jail requires that a transgender and intersex inmate's own views regarding their own safety be given serious consideration. There were no transgender or intersex inmates housed in the facility for the past twelve months. The Overton County Jail has developed and implemented a Housing and Program Review form; this form shall be used anytime a transgender or intersex inmate is booked into the facility. The form is completed by a multi-disciplinary team. Items reviewed include:

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

The multi-disciplinary team documents recommendations for housing, worker status, education opportunities; as well as, programming. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.42 (f) Overton County Jail requires that transgender and intersex inmates be given the opportunity to shower separately from other inmates. The LGBTI inmate confirmed during interview with this auditor being given the opportunity to shower separately. However, the inmate also stated that the showers at this facility are covered and allows all inmates privacy. The decision for housing and programs placement for a transgender inmate is documented on the Overton County Jail's "PREA Housing and Programs Review" Form. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (g) Overton County Jail does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a

consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates. The auditor's observation during the site review corroborated this procedure; inmates were not found to be placed in any particular housing unit in the facility based on LGBTI related information. This was confirmed during interviews with two LGBTI inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.43: Protective Custody

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.43 (a)

- Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers? Yes No
- If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment? Yes No

115.43 (b)

- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations? Yes No

115.43 (c)

- Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?
 Yes No

- Does such an assignment not ordinarily exceed a period of 30 days? Yes No

115.43 (d)

- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety? Yes No

- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged? Yes No

115.43 (e)

- In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.43 PREA Policy

B. Interviews

1. Jail Administrator
2. Segregated Housing Staff

The following delineates the audit findings regarding this standard:

115.43 (a) Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. The Overton County Jail policy 5.43 (page 1), outlines the procedures to ensure compliance with this standard. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility; therefore there were no 30-day reviews. The auditor's interview with the Jail Administrator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (b) Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If Overton County Jail restricts access to programs, privileges, education, or work opportunities, Overton County Jail documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility; therefore there were no 30 day reviews. Jail Administrator and Segregated Housing Staff interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (c) Policy 5.43 (page 1) details the Overton County Jail assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment does not ordinarily exceed a period of 30 days. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility; therefore there were no 30-day reviews. This was corroborated by the Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

REPORTING

Standard 115.51: Inmate reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.51 (a)

- Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment? Yes No
- Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment? Yes No
- Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents? Yes No

115.51 (b)

- Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? Yes No
- Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials? Yes No
- Does that private entity or office allow the inmate to remain anonymous upon request? Yes No
- Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Office of Homeland Security? Yes No

115.51 (c)

- Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties? Yes No
- Does staff promptly document any verbal reports of sexual abuse and sexual harassment? Yes No

115.51 (d)

- Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.11 PREA Policy
4. Memorandum of Understanding with the Genesis House

B. Interviews

1. PREA Coordinator

- 2. Random Staff**
- 3. Random Inmates**

C. Other

- 1. Posters/Handouts**
- 2. Observation During Site Review**

The following delineates the audit findings regarding this standard:

115.51 (a) Policy 5.11 (page 1) state the Overton County Jail provides multiple internal ways for inmates to report incidents of abuse or harassment. They include:

1. Verbally or in writing to any staff member
2. By mail, which be forwarded to the PREA Coordinator with respect to any request for anonymity
3. Telephone the Genesis House (external reporting)
4. Telephone the National Sexual Assault Center 1-800 Hotline
5. Telephone the Internal Hotline
6. 3rd Party reporting information is located on the agency's website (www.overtonsheriff.com)

Interviews with random staff and inmates corroborate this process. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (b) Overton County Jail provides at least one way for inmates to report abuse or harassment to a public or private entity or Office that is not part of Overton County Jail, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. The Overton County Jail has by Memorandum of Understanding provided the address and phone number of the Genesis House to the inmates satisfying the requirements of this standard. The external reporting hotline was tested during the site review. The Genesis House representative confirmed if a call was made by a Overton County Inmate, a notification would be immediately made to the Overton County Jail PREA Coordinator. The representative stated they have not received any such calls from an Overton County inmate. During the past 12 months, Overton County has not housed an inmate solely for immigration status; provision would be made for the detainee to contact his/her consular. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (c) Overton County Jail policy 5.11 (page 1) requires all staff to accept reports made verbally, in writing, anonymously and from third parties. During the past 12 months, no reports were made anonymously or by a third party. All allegations shall be promptly documented in memorandum form and reported to the supervisor. The PREA Investigator confirmed this practice; during the past 12 months there was one investigation generated by 3rd party notifying a staff member; this allegation was determined by the investigator as unfounded. Interviews with Random Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (d) Overton County Jail staff may privately report sexual abuse and sexual harassment to the Jail Administrator, PREA Investigator, PREA Coordinator, or the PREA external telephone number.

Interviews with Random Staff confirmed this practice. During the past 12 months, there was one report of sexual harassment by a third party. During the past 12 months, there were no anonymous reports filed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.52: Exhaustion of administrative remedies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.52 (a)

- Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse. Yes No NA

115.52 (b)

- Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (c)

- Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) Yes No NA
- 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 No NA

115.52 (d)

- Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.) Yes No NA
- If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate

decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)

Yes No NA

- At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (e)

- Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)
 Yes No NA
- Are those third parties also permitted to file such requests on behalf of inmates? (If a third-party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.) Yes No NA
- If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)
 Yes No NA

115.52 (f)

- Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA
- After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)
 Yes No NA
- 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 No NA
- 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 No NA
- Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA

- 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 No NA
- 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 No NA

115.52 (g)

- If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.12 PREA Policy

B. Interviews

1. Jail Administrator
2. PREA Coordinator

The Overton County Jail PREA policy 5.12 does not require an inmate to submit a grievance or allow a PREA incident reported on a grievance to be processed through the facility's grievance process. Should a report be submitted, it is the policy to immediately forward the complaint to the Investigator, PREA Coordinator or the Shift Commander on duty. The policy states the agency elected to take an exemption for this standard. Therefore, this standard was found to be incompliance for the agency.

Standard 115.53: Inmate access to outside confidential support services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.53 (a)

- Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations? Yes No
- Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? Yes No
- Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible? Yes No

115.53 (b)

- Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws? Yes No

115.53 (c)

- Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse? Yes No
- Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. Overton County Sheriff's Department 5.11 Jail PREA Policy
3. Memorandum of Understanding with the Genesis
4. Posters and Brochures

5. Intake Processing Form (English and Spanish)

B. Interviews

1. Random Staff
2. Inmates who have reported sexual abuse
3. Interview with Genesis House Representative

The following delineates the audit findings regarding this standard:

115.53 (a) The Overton County Policy 5.11 (page1); details the agency's commitment to compliance. The agency has entered into a Memorandum of Understanding with the Genesis House which agrees to provide confidential outside victim advocacies services to the inmates at Overton County Jail. The mailing address and telephone number for this agency are made available to all inmates at the facility. Overton County Jail enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. This was confirmed during an interview with the representative from the Genesis House. Overton County does not house inmates solely for immigration purposes. Immigration (ICE) does place holds on inmates with local charges; once the local charge(s) is released – Immigration has 48 hours to pick up the detainee. The services of these victim advocates have not been requested or used by the inmates during this audit cycle, verified by phone call. The auditor observed "No Means No" posters throughout the facility; the posters not only had reporting procedures but included a summation of Victim Support Services with contact numbers and address. Information is also listed on the End the Silence brochure that each inmate receives during the intake process. At the time of the onsite visit, Overton County Jail did not have any detainees housed for immigration. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.53 (b) Overton County Jail informs inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. The auditor did test the phone system while onsite. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.53 (c) Overton County Jail maintains a Memorandum of Understanding with the Genesis House; the agency provides emotional support services to victims of sexual abuse. There were not substantiated or unsubstantiated reported incidents of sexual abuse in the past 12 months; there were no alleged victims to interview at the time of the onsite visit. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.54: Third-party reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.54 (a)

- Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment? Yes No

- Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.11 PREA Policy
4. Posters and Brochures

B. Interviews

1. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.54 (a) The Overton County Jail Policy 5.11 (page 1); details the agency's commitment to compliance. The agency provides multiple methods for receiving third-party reports of sexual abuse and sexual harassment; to include, tell friends and family members who may call the jail or mail a letter to report sexual abuse. Third Party Reporting procedures are posted in the agency's website (www.overtonsheriff.com). Inmates are advised of third party reporting on posters that are throughout the facility. The same information is also on the "End the Silence" brochure that each inmate receives during the booking process; this is recorded on the facility issued items receipt in intake. The information available on the agency's website explains how to report sexual abuse and sexual harassment on behalf of an inmate. The facility takes all reports seriously no matter how they are received and investigates each reported incident. During the past 12 months, Overton County has received one third party report of sexual harassment; the incident was investigated and the final disposition was "unfounded". This was confirmed during interviews with the PREA Investigator and PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

Standard 115.61: Staff and agency reporting duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.61 (a)

- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency? Yes No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment? Yes No
- 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 No

115.61 (b)

- Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions? Yes No

115.61 (c)

- 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 No
- Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services? Yes No

115.61 (d)

- 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 No

115.61 (e)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Overton County Sheriff's Department Jail 5.13 PREA Policy**

B. Interviews

1. **Jail Administrator**
2. **PREA Coordinator**
3. **Medical and Mental Health Staff**
4. **Random Staff**

The following delineates the audit findings regarding this standard:

115.61 (a) The Overton County Jail Policy 5.13 (page 1); requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of Overton County Jail; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. All staff interviewed confirmed training and knowledge of this policy and procedure. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (b) Overton County Jail requires apart from reporting to designated supervisors or officials, staff do not reveal 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. Interviews with Random Staff confirmed that staff had received and understood their reporting responsibilities. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (c) Overton County Jail requires medical and mental health practitioners to report sexual abuse immediately to the security staff supervisor. Medical and mental health practitioners are required to inform the inmates of their duty to report, and the limitations of confidentiality, at the initiation of services. During the past 12 months there has not been an incident requiring medical nor mental health practitioners to complete this procedure. This was confirmed during interviews with Southern Health Partners staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (d) If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, Overton County Jail reports the allegation to the designated state or local services agency. During interviews with both the Jail Administrator and PREA Coordinator, each understood that the Office of Children Services would need to be contacted if the alleged victim was under the age of 18. During the past 12 months, Overton County Jail has not housed anyone under the age of 18 or anyone considered a vulnerable adult. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (e) Overton County Jail reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the PREA investigator as required. During the past 12 months, Overton County has not received any anonymous reports and has received one third party report of sexual abuse. This was confirmed by reviewing the investigation files and was corroborated during an interview with the PREA Investigator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.62: Agency protection duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.62 (a)

- When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department and Jail 5.14 PREA Policy

B. Interviews

1. Jail Administrator
2. Random Staff

The following delineates the audit findings regarding this standard:

115.62 (a) The Overton County Jail Policy 5.14 (page 1); details the agency's commitment to compliance. Policy and staff training requires all staff to take immediate action and staff acknowledged during their interviews the requirement of all staff to protect inmates when it is learned that an inmate at the Overton County Jail is subject to a substantial risk of imminent sexual abuse. Interviews with the Jail Administrator and 10 out of 10 Random Staff corroborated this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.63: Reporting to other confinement facilities

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.63 (a)

- Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred? Yes No

115.63 (b)

- Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation? Yes No

115.63 (c)

- Does the agency document that it has provided such notification? Yes No

115.63 (d)

- Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist

3. **Overton County Sheriff' Office Jail 5.13 PREA Policy**
4. **Reporting Documentation**

B. Interviews

1. **PREA Coordinator**
2. **Jail Administrator**
3. **PREA Investigator**

The following delineates the audit findings regarding this standard:

115.63 (a) The Overton County Sheriff's Department PREA Policy 5.13 (page 1); details the agency's commitment to compliance. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of Overton County Jail that received the allegation notifies the head of the facility or appropriate Office where the alleged abuse occurred. This process is documented the agency's notification form - Overton County Sheriff's Department Notification of Alleged Abuse. During the past 12 months, Overton County has not made a notification to another agency pertaining to sexual abuse. This was confirmed during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.63 (b) and (c) Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented by the PREA Investigator. During the past 12 months, Overton County has not made a notification to another agency pertaining to sexual abuse. This was confirmed during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.63 (d) Upon receiving a call from an outside facility that an inmate had been sexually abused while in the custody of the Overton County Jail. During the past 12 months, Overton County has not received a notification to another agency pertaining to sexual abuse. If received, the allegation is referred immediately to the PREA Investigator to be investigated. This was confirmed during interviews with the PREA Investigator and Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.64: Staff first responder duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.64 (a)

- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?
 Yes No

- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence? Yes No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? Yes No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? Yes No

115.64 (b)

- If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.16 PREA Policy
4. Training Records

B. Interviews

1. Potential First Responders
2. Random Staff
3. Inmates who have reported sexual abuse

The following delineates the audit findings regarding this standard:

115.64 (a) The Overton County Sheriff's PREA Policy 5.16 (page 1); details the agency's commitment to compliance; the policy outlines the responsibilities of all staff members receiving an allegation of sexual abuse to follow these guidelines:

- (1) Separate the alleged victim and abuser;
- (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and
- (4) Notify immediate Supervisor

115.64 (b) Overton County Jail policy 5.16 (page 1), mandates when the first staff responder is not a security staff member, they shall advise the alleged victim not to take any actions that could destroy physical evidence, and then notify security staff immediately. The auditor confirmed compliance based on interviews with random staff, potential first responders and training records of non-security staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.65: Coordinated response

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.65 (a)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.16 PREA Policy

B. Interviews
1. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.65 (a) The Overton County Sheriff's Department PREA Policy 5.16 (page 1); details the agency's commitment to compliance. Overton County Jail has a very comprehensive written plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators and facility leadership. The plan clearly defines the roles and responsibilities of each person involved and the procedures to be followed in detail. Roles addressed include the First Responder, Shift Supervisor, PREA Coordinator and the PREA investigator. Interviews with SART members confirmed their knowledge of the response plan. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.66: Preservation of ability to protect inmates from contact with abusers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.66 (a)

- 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 inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted? Yes No

115.66 (b)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.17 PREA Policy

B. Interviews

1. SART Members

The following delineates the audit findings regarding this standard:

115.66 (a) The Overton County Sheriff's Department PREA Policy 5.17 (page 1); details the agency's commitment to compliance. Employees are subject to disciplinary sanctions up to termination for violating Overton County Jail policies on sexual abuse and sexual harassment. The Overton County Jail has not entered into any collective bargaining agreements during this audit cycle. Interviews with the SART Members confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.67: Agency protection against retaliation

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.67 (a)

- Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff? Yes No
- Has the agency designated which staff members or Offices are charged with monitoring retaliation? Yes No

115.67 (b)

- Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations? Yes No

115.67 (c)

- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct

and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? Yes No

- 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 No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes? Yes No
- 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 No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff? Yes No
- Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need? Yes No

115.67 (d)

- In the case of inmates, does such monitoring also include periodic status checks?
 Yes No

115.67 (e)

- 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 No

115.67 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Overton County Sheriff's Department Jail 5.18 PREA Policy**
4. **Retaliation Form for Staff and Inmate**

B. Interviews

1. **Jail Administrator**
2. **Retaliation Monitor**

The following delineates the audit findings regarding this standard:

115.67 (a) The Overton County Sheriff's Department PREA Policy 5.18 (page 1); details the agency's commitment to compliance. Overton County Jail has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and designates which staff members or Offices are charged with monitoring retaliation. Overton County Jail has a retaliation form for inmates who report sexual abuse and a separate form for staff who report sexual abuse. Overton County Jail has not had a substantiated or unsubstantiated PREA finding; therefore, there has not been a need for retaliation monitoring. The PREA Coordinator is also the Retaliation Monitor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (b) Overton County Jail has multiple protection measures, such as housing changes or transfers for inmates, victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. The Inmate Retaliation Form has detailed information for all relevant notifications; if needed. Overton County Jail has not had a substantiated or unsubstantiated PREA findings; therefore, there has not been a need for retaliation monitoring. The PREA Coordinator is also the Retaliation Monitor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (c) For at least 90 days following a report of sexual abuse, Overton County Jail monitors the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were

reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and act promptly to remedy any such retaliation. There is periodic status checks performed and documented. Overton County Jail's monitoring includes any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Such monitoring continues beyond 90 days if the initial monitoring indicates a continuing need. The Retaliation Form has detailed information for all relevant notifications; if needed. Overton County Jail has not had a substantiated or unsubstantiated PREA finding; therefore, there has not been a need for retaliation monitoring. This was confirmed during an interview with the PREA Coordinator who is also the Retaliation Monitor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (d) If any other individual who cooperates with an investigation expresses a fear of retaliation, Overton County Jail takes appropriate measures to protect that individual against retaliation. The Retaliation Form has detailed information for all relevant notifications; if needed. Overton County Jail has not had a substantiated or unsubstantiated PREA finding; therefore, there has not been a need for retaliation monitoring. This was confirmed during an interview with the PREA Coordinator who is also the Retaliation Monitor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.68: Post-allegation protective custody

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.68 (a)

- Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.19 PREA Policy

B. Interviews

1. PREA Coordinator
2. Segregated Housing Staff

The following delineates the audit findings regarding this standard:

115.68 (a) The Overton County Sheriff's Department PREA Policy 5.19 (page 1); details the agency's commitment to compliance. Overton County Jail prohibits offenders who have alleged sexual abuse to be placed in involuntary segregated housing. Interviews with the facility administration and segregation staff revealed that involuntary segregation has not been used for this purpose in the past 12 months; therefore, there were not any subsequent monitoring documentation. The PREA Coordinator stated that if separation was required to protect the offender, they would be placed in segregation for no longer than 72 hours. This policy was corroborated during interviews with the PREA Coordinator and Staff working in segregation units. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

INVESTIGATIONS

Standard 115.71: Criminal and administrative agency investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.71 (a)

- When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).] Yes No NA
- Does the agency conduct such investigations for all allegations, including third party and anonymous reports? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).] Yes No NA

115.71 (b)

- Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34? Yes No

115.71 (c)

- Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data? Yes No
- Do investigators interview alleged victims, suspected perpetrators, and witnesses?
 Yes No

- Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator? Yes No

115.71 (d)

- 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 No

115.71 (e)

- Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff? Yes No
- Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding? Yes No

115.71 (f)

- Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse? Yes No
- 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 No

115.71 (g)

- 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 No

115.71 (h)

- Are all substantiated allegations of conduct that appears to be criminal referred for prosecution? Yes No

115.71 (i)

- Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years? Yes No

115.71 (j)

- Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?
 Yes No

115.71 (k)

- Auditor is not required to audit this provision.

115.71 (l)

- When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.20 PREA Policy
4. Training Curriculum

B. Interviews

1. Jail Administrator
2. PREA Coordinator
3. PREA Investigator

The following delineates the audit findings regarding this standard:

115.71 (a) The Overton County Sheriff's Jail PREA Policy 5.20 (page 1); details the agency's commitment to compliance. Overton County Sheriff's Department PREA Investigator conducts an investigation immediately when notified of an allegation of sexual abuse and sexual harassment. There one PREA incident reported in the past twelve months; the investigative file to review. Policy does mandate:

- i. An effort to determine whether staff actions or failures to act contributed to the abuse;
- ii. Investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (b) Overton County PREA investigator has received the specialized training as required based on training curriculums provided, investigators training file review, and investigative staff interview, it was evident the facility provided, in addition to the general training received by all employees, specialized training to all its investigators. The PREA Investigator has completed the "Public Agency Training Council National Criminal Justice" course on investigating sexual assaults in a confinement setting. The Agency PREA Investigator completed the PREA training as outlined in 115.31, and signed the "PREA Training Acknowledgement Form". This training included 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. In the past 12 months, Overton County Jail had one PREA investigation; the allegation was determined to be unfounded. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (c) Overton County Jail PREA Investigator gathers and preserves direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; takes photos of the alleged crime scene, reviews incident and shift reports, interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator. DNA evidence is forwarded to the Tennessee Bureau of Investigations. In the past 12 months, Overton County Jail has had one PREA investigation. The auditor reviewed the case file and found that the investigation were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (d) When the quality of evidence appears to support criminal prosecution, Overton County Jail refers the case to the Overton County District Attorney's Office for prosecution. In the past 12 months, Overton County Jail has not had any PREA investigations for referral. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (e) The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. The inmate who alleges sexual abuse is not required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. In the past 12 months, Overton County Jail has had one PREA investigation; the allegation of sexual harassment was determined to be unfounded. The auditor reviewed the case file and found that the investigation was conducted; in accordance with PREA guidelines. Interview with the PREA Investigator corroborated this policy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (f) Overton County Jail administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. In the past 12 months, Overton County Jail has had one PREA

investigation. The auditor reviewed the case file and found that the investigation was conducted; in accordance with, PREA guidelines. Interview with the PREA Investigator corroborated this policy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (g) Overton County Jail criminal investigations are documented by the Overton County Sheriff's Department PREA Investigator in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. In the past 12 months, Overton County Jail has had one PREA investigation. The auditor reviewed the case file and found that the investigation were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (h) Overton County Jail refers all allegations to the Overton County Sheriff's Department PREA Investigator for investigation and prosecution when warranted. In the past 12 months, Overton County Jail has had one PREA investigation; the allegation was determined to be unfounded sexual harassment. In the past twelve months, there were no cases forwarded for prosecution. The auditor reviewed the case file and found that the investigation was conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (i) Overton County Jail retains all written reports for as long as the alleged abuser is incarcerated or employed by Overton County Jail, plus five years. Interview with the PREA Coordinator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (j) The departure of the alleged abuser or victim from employment or control of the Overton County Jail or agency does not provide a basis for terminating an investigation. In the past 12 months, Overton County Jail has had one PREA investigation. The auditor reviewed the case file and found that the investigation was conducted; in accordance with PREA guidelines. Interviews with the PREA Investigator and Jail Administrator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (k) The Overton County Sheriff's Department PREA Investigator conducts criminal sexual abuse investigations pursuant to the requirements of this standard. Overton County Jail policy 115.001 outlines the requirements of the criminal investigation and complies with all aspects of this standard. The auditor found the Overton County Sheriff's Department PREA Investigator to be well versed in the policy and guidelines for PREA investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (l) Overton County Jail refers all criminal cases to the Overton County Sheriff's Department PREA Investigator. By policy, the facility remains informed of the progress of the investigation through communication between the Overton County District Attorney's Office and the Overton County Sheriff's Department PREA Investigator agent handling the case. The PREA Investigator in turn keeps the PREA Coordinator updated. In the past 12 months, Overton County Jail has not referred an inmate for criminal charges for reporting a PREA incident in bad faith. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.72: Evidentiary standard for administrative investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.72 (a)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

- Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
- PREA Compliance Audit Instrument Checklist
- Overton County Sheriff's Department Jail 5.21 PREA Policy

B. Interviews

- PREA Investigator

The following delineates the audit findings regarding this standard:

The Overton County Sheriff's Jail PREA Policy 5.21 (page 1); details the agency's commitment to compliance. Overton County Jail imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. All PREA allegations begin as potential criminal investigations; if no criminality occurred, the allegation will then be treated as a potential administrative investigation. In the past 12 months, Overton County Jail has had one PREA investigations; it was all allegation of sexual harassment and it was determined to be unfounded. The auditor reviewed the case file and found that the investigation were conducted; in accordance with, PREA guidelines. Interview with the PREA Investigator corroborated this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.73: Reporting to inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.73 (a)

- Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded? Yes No

115.73 (b)

- If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.) Yes No NA

115.73 (c)

- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit? Yes No
- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility? Yes No
- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility? Yes No
- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility? Yes No

115.73 (d)

- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility? Yes No
- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the

alleged abuser has been convicted on a charge related to sexual abuse within the facility?

Yes No

115.73 (e)

- Does the agency document all such notifications or attempted notifications? Yes No

115.73 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

- 1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Overton County Sheriff's Department Jail 5.22 PREA Policy**
- 4. Notification Documentation**

B. Interviews

- 1. Jail Administrator**
- 2. PREA Investigator**

The following delineates the audit findings regarding this standard:

115.73 (a) The Overton County Sheriff's PREA Jail Policy 5.22 (page 1); details the agency's commitment to compliance. Based on Overton County Jail policy it was confirmed that following an investigation into an inmate's allegation he/she suffered sexual abuse in the facility, the inmate was to be informed whether the allegation had been determined to be substantiated, unsubstantiated, or unfounded. The documentation provided confirmed the inmates would be provided this notification on the Overton County Jail Inmate PREA Allegation Status Notification Form. The inmates are required to sign the form documenting acknowledgement of this notification as required. In the past 12 months, Overton County Jail has had one PREA investigation: appropriate notification was made for the investigation. Inmates sign the form; acknowledging the notification. Overton County documents such notifications on the "Inmate PREA Allegation Status Notification Form". Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (b) The agency conducts its own PREA investigations. Therefore, the facility is exempt with this part of the standard during this audit.

115.73 (c) Based on Overton County Jail practice and documentation provided, it was confirmed that following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

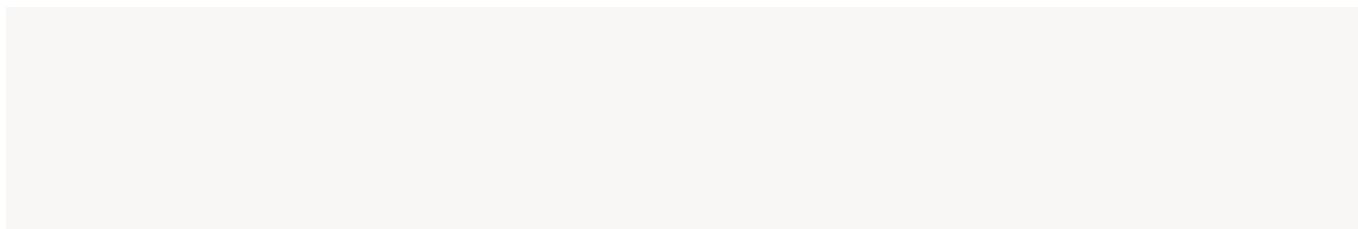
- (1) The staff member is no longer posted within the inmate's unit;
- (2) The staff member is no longer employed at the facility;
- (3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the Overton County Jail; or
- (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the Overton County Jail

The documentation provided confirmed the inmates would be provided this notification on the Overton County Jail Inmate PREA Allegation Status Notification Form. The inmates are required to sign the form documenting acknowledgement of this notification as required. File review confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (d) Following an inmate's allegation they had been sexually abused by another inmate, Overton County Jail subsequently informs the alleged victim whenever the facility learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or Overton County Jail learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. The documentation provided confirmed the inmates would be provided this notification on the Overton County Jail Inmate PREA Allegation Status Notification Form. In the past 12 months, Overton County Jail has had one PREA investigation: appropriate notification was made for the investigation. The investigation was unfounded. The inmate is required to sign the form documenting acknowledgement of this notification as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (e) All such notifications or attempted notifications are documented on the Overton County Jail Inmate PREA Allegation Status Notification Form. In the past 12 months, Overton County Jail has had one PREA investigation: appropriate notification was made for the investigation. The allegation was determined to be unfounded. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (f) Policy outlines the agency's obligation to report under this standard terminates if the inmate is released from Overton County Jail's custody. In the past 12 months, Overton County Jail has had one PREA investigation; appropriate notification was made for the investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.



DISCIPLINE

Standard 115.76: Disciplinary sanctions for staff

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.76 (a)

- Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies? Yes No

115.76 (b)

- Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse? Yes No

115.76 (c)

- 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 No

115.76 (d)

- 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 No
- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.23 PREA Policy

B. Interviews

1. Jail Administrator

The following delineates the audit findings regarding this standard:

115.76 The Overton County Sheriff's Jail PREA Policy 5.23 (page 1); details the agency's commitment to compliance.

(a) and (b) Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse. There were no disciplinary sanctions imposed on staff for PREA violations within the past 12 months. This was confirmed during an interview with the Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.76 (c) 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. There were no disciplinary sanctions imposed on staff for PREA violations within the past 12 months. This was confirmed during an interview with the Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.76 (d) 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, unless the activity was clearly not criminal, and to any relevant licensing bodies. There were no disciplinary sanctions imposed on staff for PREA violations within the past 12 months. This was confirmed during an interview with the Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.77: Corrective action for contractors and volunteers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.77 (a)

- Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates? Yes No

- Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)? Yes No
- Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies? Yes No

115.77 (b)

- In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.23 PREA Policy

B. Interviews

1. Jail Administrator
2. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.77 (a) The Overton County Sheriff's Jail PREA Policy 5.23 (page 1); details the agency's commitment to compliance. Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement, unless the activity was clearly not criminal, and to relevant licensing bodies. During the past 12 months, there were no contractors or volunteers who were perpetrators in a substantiated or unsubstantiated PREA investigation. This was corroborated by during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.77 (b) Overton County Jail 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. During the past 12 months, there were no

contractors or volunteers who were perpetrators in a substantiated PREA investigation. This was corroborated by during an interview with the Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.78: Disciplinary sanctions for inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.78 (a)

- Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process? Yes No

115.78 (b)

- Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories? Yes No

115.78 (c)

- When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior? Yes No

115.78 (d)

- If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits? Yes No

115.78 (e)

- Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact? Yes No

115.78 (f)

- 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 No

115.78 (g)

- Does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.24 PREA Policy

B. Interviews

1. Jail Administrator
2. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.78 (a) The Overton County Sheriff's Jail PREA Policy 5.24 (page 1); details the agency's commitment to compliance. Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. During the past twelve months, there has not been any substantiated sexual harassment inmate on inmate finding. This was confirmed during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (b) Sanctions are 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. This was confirmed during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (c) The disciplinary process considers 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. This would be done, when needed, by the contracted Mental Health Services Provider, Southern Health Partners. During the past 12 months, there has not been a need for such a referral. This was confirmed during an interview with Southern Health Partners staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (d) The Mental Health staff offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, Overton County Jail does not require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. During the past 12 months, there has not been a need for such a referral. This was confirmed during an interview with Southern Health Partners staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (e) Overton County Jail disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. During the past 12 months, there has not been a need for such a referral for disciplinary action. This was confirmed during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (f) Policy states a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. During the past twelve months, there has not been such an incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (f) Overton County Jail prohibits all sexual activity between inmates and may discipline inmates for such activity. During the past 12 months, there has not been an incident that would call for disciplinary action. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (g) The Jail Administrator advised that Overton County Jail prohibits all sexual activity between inmates and may discipline inmates for such activity. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

MEDICAL AND MENTAL CARE

Standard 115.81: Medical and mental health screenings; history of sexual abuse

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.81 (a)

- If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? Yes No

115.81 (b)

- If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.) Yes No NA

115.81 (c)

- If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? Yes No

115.81 (d)

- Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law? Yes No

115.81 (e)

- Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.25 PREA Policy
4. Memorandum of Understanding

B. Interviews

1. Medical and Mental Health Staff
2. Potential First Responder

The following delineates the audit findings regarding this standard:

115.81 The Overton County Sheriff's Department and Jail PREA Policy 5.25 (page 1); details the agency's commitment to compliance. (a) and (c) If the screening indicates the inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, the Intake staff at the Overton County Jail ensures the inmate is offered a follow-up meeting with the medical and/or mental health staff within 14 days of the intake screening as required by this part of the standard. Overton County maintains a contract with Southern Health Partners for mental health services. All inmates are required to be seen by the medical staff within 14 day from intake is required by the Tennessee Corrections Institute. It is the policy of the Overton County Jail that the PREA Coordinator reviews all PREA screenings. The PREA Coordinator makes the appropriate referrals to the Southern Health Partners. Interviews with the PREA Coordinator and Southern Health Partners Staff confirm this process. Four random records were reviewed; all were properly referred. Upon referral, the inmate is placed on the "Provider Sick Call Log". Inmates are seen by Southern Health Partners mental health staff. The Overton County Jail has a contract with Southern Health Partners for Mental Health services. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (b) The Overton County Jail is exempt from this portion of the standard.

115.81 (c) If the screening indicates an inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, the screening staff at the Overton County Jail ensures the inmate is offered a follow-up meeting with mental health staff within 14 days of the intake screening as required by this part of the standard. All inmates are required to be seen by the medical staff within 14 day from intake is required by the Tennessee Corrections Institute. The PREA Coordinator makes the appropriate referrals to the Southern Health Partners. Interviews with the PREA Coordinator and Southern Health Partners Staff confirm this process. Five random records were reviewed; all were properly referred. Upon referral, the inmate is placed on the "Provider Sick Call Log". Inmates are seen by Southern Health Partners mental health staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (d) Overton County Jail requires that any information related to sexual victimization or abusiveness that occurred in the facility is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. Interviews with the Medical Staff corroborate this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (e) Overton County Jail requires Southern Health Partners to obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in the facility, unless the inmate is under the age of 18. The Overton County Jail has not housed an inmate under the age of 18 in the past 12 months. Overton County does have Consent Form in place, if ever needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.82: Access to emergency medical and mental health services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.82 (a)

- Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?
 Yes No

115.82 (b)

- If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62? Yes No
- Do security staff first responders immediately notify the appropriate medical and mental health practitioners? Yes No

115.82 (c)

- Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate? Yes No

115.82 (d)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.26 PREA Policy
4. Medical and Mental Health Records

B. Interviews

1. Medical and Mental Health Staff

The following delineates the audit findings regarding this standard:

115.82 The Overton County Sheriff's Department and Jail PREA Policy 5.26 (page 1); details the agency's commitment to compliance. (a) Overton County Jail has an agreement with the Genesis House to treat inmate victims of sexual abuse. The facility also has medical and mental health staff at the facility ensuring inmates 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. Other services available include Southern Health Partners and Mobile Crisis Counseling. This practice was corroborated through an interview with the medical staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (b) Overton County Jail has procedures to follow when no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners. During the past twelve months, there have been no reported sexual abuse victims of sexual abuse at the Overton County Jail that were in need of these services. This practice was corroborated through an interview with the medical staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (c) The Overton County Sheriff's PREA Policy 5.26 (page 1); details the agency's commitment to compliance. Overton County Jail ensures inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. During the past twelve months, there have been no reported victims of sexual abuse at the Overton County Jail that were in need of these services. This practice was corroborated through an interview with the medical staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (d) Overton County Jail requires that all treatment services provided to the victim are without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. This practice was corroborated through an interview with the medical staff. During the past twelve months, there have been no reported victims of sexual abuse at the Overton County Jail that were in need of these services. This practice was corroborated through an interview with the medical staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.83: Ongoing medical and mental health care for sexual abuse victims and abusers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.83 (a)

- Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility? Yes No

115.83 (b)

- Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody? Yes No

115.83 (c)

- Does the facility provide such victims with medical and mental health services consistent with the community level of care? Yes No

115.83 (d)

- Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.) Yes No NA

115.83 (e)

- If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if all-male facility.) Yes No NA

115.83 (f)

- Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate? Yes No

115.83 (g)

- 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 No

115.83 (h)

- If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Overton County Sheriff's Department Jail 5.27 PREA Policy**
4. **Medical and Mental Health Records**

B. Interviews

1. **Medical and Mental Health Staff**

The following delineates the audit findings regarding this standard:

115.83 (a) The Overton County Sheriff's PREA Policy 5.27 (page 1); details the agency's commitment to compliance. Overton County Jail offers medical and mental health evaluations and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any facility. In the past 12 months, there were no incidents where these services needed to be utilized. Staff was well versed if an incident did occur. Interview with Medical Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (b) Overton County Jail mandates that the evaluations 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. In the past 12 months, there were no incidents where these services needed to be utilized. Staff was well versed if an incident did occur. Interview with Medical Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (c) Overton County Jail requires that medical and mental health staff provide all victims with medical and mental health services consistent with the community level of care. This practice was corroborated through an interview with the medical staff. The contract agency's schedule needs to be better defined. Interview with Medical Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (d and e) Based on Overton County Jail documentation requires inmate victims of sexually abusive vaginal penetration, while incarcerated, shall be offered pregnancy tests and timely information about, and access to, all pregnancy-related medical services that are lawful in the community as required by this standard. In the past 12 months, there were no incidents were these services needed to be utilized. Staff was well versed if an incident did occur. Interview with Medical Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (f) Overton County Jail requires that medical and mental health staff provide inmate victims of sexual abuse while incarcerated tests for sexually transmitted infections as medically appropriate. In the past 12 months, there were no incidents were these services needed to be utilized. Staff was well versed if an incident did occur. Interview with Medical Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (g) Overton County Jail requires that medical and mental health staff provide treatment services 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. In the past 12 months, there were no incidents were these services needed to be utilized. Staff was well versed if an incident did occur. Interview with Medical Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (h) Overton County Jail is exempt from this section of the standard. (Prisons Only)

DATA COLLECTION AND REVIEW

Standard 115.86: Sexual abuse incident reviews

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.86 (a)

- 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 No

115.86 (b)

- Does such review ordinarily occur within 30 days of the conclusion of the investigation? Yes No

115.86 (c)

- Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners? Yes No

115.86 (d)

- 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 No
- 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 No
- 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 No
- Does the review team: Assess the adequacy of staffing levels in that area during different shifts? Yes No
- Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff? Yes No
- Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1) - (d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager? Yes No

115.86 (e)

- Does the facility implement the recommendations for improvement, or document its reasons for not doing so? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.28 PREA Policy
4. Incident Review Form

B. Interviews

1. Jail Administrator
2. PREA Coordinator

3. Incident Review Team Members

The following delineates the audit findings regarding this standard:

115.86 (a) Overton County Jail conducts 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. This process would be documented by utilizing the Overton County Sheriff's Department Sexual Abuse Incident Review Report. The Overton County Jail has not had a PREA incident substantiated or unsubstantiated; therefore, the Overton County Jail has not completed an Incident Review. This was confirmed by the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (b) Overton County Jail ensures that these reviews occur within 30 days of the conclusion of the investigation and documents the review on the "Sexual Abuse Incident Review Report" form. During the past twelve months, there have been no reported victims of sexual abuse at the Overton County Jail; therefore there have not been any incidents to review. This process was confirmed during interviews with members for the review team. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (c) The review team consist of upper-level management officials, with input from PREA Coordinator, PREA Investigator, housing Lieutenant, and medical or mental health practitioners. Team members were confirmed by the Jail Administrator. During the past twelve months, there have been one reported victims of sexual abuse at the Overton County Jail; the Sexual Abuse Incident Review Report was reviewed by the auditor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (d) The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; and they examine the area in Overton County Jail where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. The agency has deployed an excellent PREA after action review form which addresses all elements of the standard. This process would be documented by utilizing the Overton County Sheriff's Department Sexual Abuse Incident Review Report. This was corroborated by the PREA Coordinator. Therefore, the facility exceeds the intent of this part of the standard.

115.86 (e) According to policy 5.28, Overton County Jail shall implement the recommendations for improvement, or shall document its reasons for not doing so. During the past twelve months, there have been one reported victims of sexual abuse at the Overton County Jail; the Sexual Abuse Incident Review Report was properly completed for the incident. This was corroborated during an interview with the Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.87: Data collection

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.87 (a)

- 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 No

115.87 (b)

- Does the agency aggregate the incident-based sexual abuse data at least annually? Yes No

115.87 (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 Office of Justice? Yes No

115.87 (d)

- 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 No

115.87 (e)

- Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.) Yes No NA

115.87 (f)

- Does the agency, upon request, provide all such data from the previous calendar year to the Office of Justice no later than June 30? (N/A if DOJ has not requested agency data.)
Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

Does Not Meet Standard (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Overton County Sheriff's Department Jail 5.29 PREA Policy**
4. **Annual Report**
5. **PREA Monthly Statistical Reports**

B. Interviews

1. **Jail Administrator**

The following delineates the audit findings regarding this standard:

115.87 The Overton County Sheriff's PREA Policy 5.29 (page 1); details the agency's commitment to compliance. (a), (b) and (c) Overton County Jail collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and should aggregate the incident-based sexual abuse data at least annually. The Overton County Jail has completed an Annual PREA Report for the calendar year 2018.

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Office of Justice. This process was confirmed by the Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (d) Overton County Jail maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. However, during the past twelve months there have not been any reports of sexual abuse. The agency does have PREA monthly Statistic reports available for usage. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (e) Overton County Jail does not contract its inmates to other facilities. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (f) Upon request, Overton County Jail provides all such data from the previous calendar year to the Office of Justice no later than June 30th when required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.88: Data review for corrective action

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.88 (a)

- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas? Yes No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis? Yes No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole? Yes No

115.88 (b)

- Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse? Yes No

115.88 (c)

- 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 No

115.88 (d)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.30 PREA Policy
4. Annual Report

B. Interviews

1. Jail Administrator
2. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.88 (a) The Overton County Sheriff's Department and Jail PREA Policy 5.30 (page 1); details the agency's commitment to compliance. Overton County Jail reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Overton County Jail as a whole. This was corroborated during an interview with the Jail Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (b) Such reports should include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of Overton County Jail's progress in addressing sexual abuse. The agency needs to generate an annual PREA report. Overton County Jail's report was approved by the Sheriff and made readily available to the public by posting on the agency's website (www.overtonsheriff.com). Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.88 (c) The Overton County Jail has completed an Annual PREA Report for the calendar year 2017. The annual report was approved by the Sheriff and made readily available to the public by posting on the agency's website (www.overtonsheriff.com). Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.88 (d) Overton County Jail may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of the facility, but must indicate the nature of the material redacted. The Overton County Jail has completed an Annual PREA Report for the calendar year 2018. Therefore, the facility does demonstrated compliance with this part of the standard during this audit

Standard 115.89: Data storage, publication, and destruction

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.89 (a)

- Does the agency ensure that data collected pursuant to § 115.87 are securely retained?
 Yes No

115.89 (b)

- Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means? Yes No

115.89 (c)

- Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available? Yes No

115.89 (d)

- Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Overton County Sheriff's Department Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Overton County Sheriff's Department Jail 5.31 PREA Policy

B. Interviews

1. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.89 The Overton County Sheriff's PREA Policy 5.31 (page 1); details the agency's commitment to compliance. (a) through (d) Overton County Jail PREA Coordinator should make all aggregated sexual abuse data readily available to the public at least annually by posting on the agency's website. All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or Local law requires otherwise. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

AUDITING AND CORRECTIVE ACTION

Standard 115.401: Frequency and scope of audits

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.401 (a)

- During the three-year period starting on August 20, 2013, and during each three-year period thereafter, 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? (N/A before August 20, 2016.)
 Yes No NA

115.401 (b)

- During each one-year period starting on August 20, 2013, 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? Yes No

115.401 (h)

- Did the auditor have access to, and the ability to observe, all areas of the audited facility?
 Yes No

115.401 (i)

- Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)? Yes No

115.401 (m)

- Was the auditor permitted to conduct private interviews with inmates, inmates, and detainees?
 Yes No

115.401 (n)

- Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

115.401 (a) and (b) The Overton County Sheriff's Department did not have a PREA audit at either facility during the first audit cycle.

115.401 (h) The auditor has full access to all location/areas of each Overton County Correctional Facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (i) The auditor did obtain all necessary copies of audit items. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (m) The auditor was allowed to interview inmates in a private setting. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (n) The auditor did not receive any correspondence from any Overton County inmates. Audit notices were observed in every housing unit; as well as all common areas. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.403: Audit contents and findings

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.403 (f)

- The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports within 90 days of issuance by auditor. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY AUDIT. In the case of single facility agencies, the auditor shall ensure that the facility's last audit report was published. 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 that there has never been a Final Audit Report issued.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

115.403 Overton County Sheriff's Department has not had a PREA audit until this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

AUDITOR CERTIFICATION

I certify that:

- The contents of this report are accurate to the best of my knowledge.
- No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

Auditor Instructions:

Type your full name in the text box below for Auditor Signature. This will function as your official electronic signature. Auditors must deliver their final report to the PREA Resource Center as a searchable PDF format to ensure accessibility to people with disabilities. Save this report document into a PDF format prior to submission.¹ Auditors are not permitted to submit audit reports that have been scanned.² See the PREA Auditor Handbook for a full discussion of audit report formatting requirements.

Brian D. Bivens

February 28, 2019

Auditor Signature

Date

¹ See additional instructions here: <https://support.office.com/en-us/article/Save-or-convert-to-PDF-d85416c5-7d77-4fd6-a216-6f4bf7c7c110>.

² See *PREA Auditor Handbook*, Version 1.0, August 2017; Pages 68-69.