

# Prison Rape Elimination Act (PREA) Audit Report

## Adult Prisons & Jails

☐ Interim      ☒ Final

Date of Report:      July 9, 2018

### 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:      June 25-27, 2018

### Agency Information

Name of Agency:		Governing Authority or Parent Agency (If Applicable):	
CoreCivic		N/A	
Physical Address:      10 Burton Hills Blvd, Nashville, TN 37215		City, State, Zip:      N/A	
Mailing Address:      SAME		City, State, Zip:      N/A	
Telephone:      1-615-263-3000		Is Agency accredited by any organization? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
The Agency Is:	<input type="checkbox"/> Military	<input checked="" type="checkbox"/> Private for Profit	<input type="checkbox"/> Private not for Profit
<input type="checkbox"/> Municipal	<input type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal

**Agency mission:**      We help government better the public good through: CoreCivic Safety – We operate safe, secure facilities that provide high quality services and effective reentry programs that enhance public safety. CoreCivic – We deliver proven and innovative practices in settings that help people obtain employment, successfully reintegrate into society and keep communities safe. CoreCivic - We offer innovative and flexible real estate solutions that provide value to government and the people they serve.

**Agency Website with PREA Information:**      <http://corecivic.com/security-operations/prea>

### Agency Chief Executive Officer

Name:      Damon Hininger	Title:      President and Chief Executive Officer
Email:      Damon.hininger@corecivic.com	Telephone:      1-615-263-3301

### Agency-Wide PREA Coordinator

<b>Name:</b> Eric Pierson		<b>Title:</b> Senior Director PREA Programs and Compliance	
<b>Email:</b> eric.piersoon@corecivic.com		<b>Telephone:</b> 1-615-263-6915	
<b>PREA Coordinator Reports to:</b> Steve Conry, Vice-President, Operations Administration		<b>Number of Compliance Managers who report to the PREA Coordinator:</b> Indirectly 53/Directly 0	
<b>Facility Information</b>			
<b>Name of Facility:</b> West Tennessee Detention Facility			
<b>Physical Address:</b> 6299 Finde Naifeh Jr. Drive, Mason, Tennessee 38049			
<b>Mailing Address (if different than above):</b> Same			
<b>Telephone Number:</b> 1-901-294-3060			
<b>The Facility Is:</b>	<input type="checkbox"/> Military	<input checked="" type="checkbox"/> Private for profit	<input type="checkbox"/> Private not for profit
<input type="checkbox"/> Municipal	<input type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
<b>Facility Type:</b>	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison	
<b>Facility Mission: We help government better the public good through;</b>  <b>CoreCivic Safety – We operate safe, secure facilities that provide high quality services and effective reentry programs that enhance public safety.</b> <b>CoreCivic Community – We deliver proven and innovative practices in settings that help people obtain employment, successfully reintegrate into society and keep communities safe.</b> <b>CoreCivic Properties – We offer innovative and flexible real estate solutions that provide value to government and the people they serve.</b>			
<b>Facility Website with PREA Information:</b> <a href="http://corecivic.com/security-operations/prea">http://corecivic.com/security-operations/prea</a>			
<b>Warden/Superintendent</b>			
<b>Name:</b> John Jackson		<b>Title:</b> Warden	
<b>Email:</b> john.jackson@corecivic.com		<b>Telephone:</b> 1-901-294-3060	
<b>Facility PREA Compliance Manager</b>			
<b>Name:</b> Mitchell Bradshaw		<b>Title:</b> Assistant Warden	
<b>Email:</b> mitchell.bradshaw@corecivic.com		<b>Telephone:</b> 1-901-294-3060	
<b>Facility Health Service Administrator</b>			
<b>Name:</b> Constance Howell		<b>Title:</b> Acting Health Services Administrator	

Email: constance.howell@corecivic.com		Telephone: 1-901-294-3060	
<b>Facility Characteristics</b>			
Designated Facility Capacity: 600		Current Population of Facility: 479	
Number of inmates admitted to facility during the past 12 months:			3,305
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more:			1,246
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more:			2,279
Number of inmates on date of audit who were admitted to facility prior to August 20, 2012:			2
Age Range of Population:	Youthful Inmates Under 18: N/A	Adults: 19-70	
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:			62.50
Facility security level/inmate custody levels:			Med/Low, Moderate and High
Number of staff currently employed by the facility who may have contact with inmates:			10
Number of staff hired by the facility during the past 12 months who may have contact with inmates:			4
Number of contracts in the past 12 months for services with contractors who may have contact with inmates:			2
<b>Physical Plant</b>			
Number of Buildings: 1		Number of Single Cell Housing Units: 0	
Number of Multiple Occupancy Cell Housing Units:		12	
Number of Open Bay/Dorm Housing Units:		2	
Number of Segregation Cells (Administrative and Disciplinary):		20	
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 utilizes a Milestone CCTV system with five DVR's for recording historical video data. 131 TOTAL CCTV cameras, with all data being stored on a server. 99 of the 131 cameras are dedicated to inmate accessible areas. Each housing unit has a minimum of 3 cameras each with capabilities of covering the entire unit, excluding shower & toilet areas. Monitors are located in Central Control.			
<b>Medical</b>			
Type of Medical Facility:		Medical Clinic with around the clock nursing providing primarily outpatient services, emergency care, mental health services, dental care as well as chronic care management.	

<b>Forensic sexual assault medical exams are conducted at:</b>	Jackson-Madison County General Hospital
<b>Other</b>	
<b>Number of volunteers and individual contractors, who may have contact with inmates, currently authorized to enter the facility:</b>	28
<b>Number of investigators the agency currently employs to investigate allegations of sexual abuse:</b>	4

## Audit Findings

### Audit Narrative

The on-site PREA audit of the West Tennessee Detention Facility was conducted June 25-27, 2018, by Office of Justice Certified PREA Auditor Brian D. Bivens. The West Tennessee Detention Facility is ran by CoreCivic and is located in Mason, Tennessee; which is in Tipton County; according to the 2010 United States census, Mason had a total population of 1,609.

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 PREA Manager had ongoing communication for several weeks prior to the audit to prepare for the on-site visit.

The auditor wishes to extend his deepest appreciation to Assistant Warden Mitchell Bradshaw, for his professionalism, hospitality, and kindness. The auditor also wishes to compliment Warden John Jackson and the West Tennessee Detention Facility's PREA Team for the outstanding work in organizing the files that were provided to the auditor in advance of the audit. This enabled the audit to move forward very efficiently.

The on-site audit began with an entrance meeting being conducted on Monday, June 25, 2018 at 08:00 a.m. in the facility's conference room. The following staff attended the entrance meeting:

Mitchell Bradshaw, PREA Manager and Assistant Warden

John Jackson, Warden

Kendrick Smith Jr. Learning and Development Manager, SORT Commander and Acting Chief

Tiffany Clark, Unit Manager

Currisma Robinson, Quality Assurance Manager

Following the entrance meeting, the auditor conducted a comprehensive site review that began at approximately 08:15 and continued throughout the on-site 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 facilities 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 (I have the Right to...) publishing the agency's zero tolerance policy and how to report allegations of

sexual abuse and sexual harassment. Random staff and resident interviews were conducted throughout the on-site review. The following staff accompanied the auditor on the site review:

Mitchell Bradshaw, PREA Manager

John Jackson, Warden

Kendrick Smith Jr. Learning and Development Manager, SORT Commander and Acting Chief

Tiffany Clark, Unit Manager

Currisma Robinson, Quality Assurance Manager

All housing units, day rooms, gym, outdoor recreation yard, resident program areas, work areas, and all other resident accessible areas were toured. Other accessible areas included the Kitchen, Laundry, Restrictive Housing, Multi-Purpose Rooms, Loading Dock Area, Visitation, 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 residents 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 1<sup>st</sup> Responders.

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 residents and staff to be interviewed during the on-site visit. The auditor took into consideration the age of the offender, length of stay at the facility (few days to several years) and gender and race when selecting individuals to be interviewed. The sampling size for residents included at least two inmates in each housing pod. The auditor selected 26 males and 4 females. This decision was made to ensure all residents throughout the facility were receiving the same information and education related to all aspects of the PREA program instituted at this facility.

The auditor interviewed a total of 15 random staff members during the course of this audit. Staff interviews consisted of:

10 security staff selected at random covering all three shifts

2 Supervisors

1 Nurse

1 Case Manager

1 Unit Manager

There were 23 specialized interviews that were completed; including 3 volunteers and 3 contractors. All staff, volunteers and contractors interviewed were 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 Jackson-Madison General Hospital in Jackson, Tennessee. The West

Tennessee Detention Facility has a Memorandum of Understanding with the WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM) 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. Staff are issued a First Responder Card, which is kept on their person at all times.

There were 30 inmates interviewed during the on-site visit. There were two inmates that refused to speak with the auditor; they were replaced by selecting the next person on the roster. 15 interviews were random and 15 were targeted. There were no juveniles, transgender inmates, inmates who reported sexual abuse, or inmates placed in segregation for victimization at the time of the on-site review. Targeted inmate interviews included:

- 3 Identified as LGBTI
- 5 Screened at risk of victimization
- 4 With disabilities
- 3 Limited English Proficient

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 agency's zero tolerance policies towards sexual abuse, sexual harassment, and retaliation for reporting, as well as the procedures for reporting. There were 6 inmates who did not remember if they had been screened during the intake process; records check showed each inmate was screened within 72 hours of intake. Records indicate the PREA video is played routinely in the intake area. The auditor verified that even in the holding cells in intake, inmates can see and hear the video which is played both in English and Spanish. Five inmates indicated they had not watched the PREA video; review of intake files revealed all five had signed a document confirming they had received orientation and watched the PREA video. 28 inmates stated they remembered being re-screened by a Case Manager; the other two had been less than 30 days. Rescreening is tracked on the agency's offender management system. 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 seriously 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. The auditor selected and carefully examined 10 human resource and training files, and 2 volunteer and 2 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 were two instances where the West Tennessee Detention Facility requested information from previous institutional employers; this was confirmed by the Warden and by file review. The 10 staff training records, 2 volunteer training records and 2 contractor training records were also very complete and included written documentation that staff, volunteers, and contractors received the required training and understood what was being trained.

It was clear the Learning and Develop Manager and Facility Chaplain thoroughly covers all aspects of PREA during their 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. The auditor did also find initial intake receipts signed by inmates, indicating they had received the agency’s PREA pamphlet. The PREA pamphlet, Inmate Handbook, PREA video, Orientation and Video Acknowledgement form are all available in Spanish. If these items are given out or utilized for LEP inmates, the intake staff makes a note in the facility’s offender management system.

In the 12 months preceding the audit, the West Tennessee Detention Facility investigated seven complaints concerning sexual abuse or sexual harassment. Policy and forms are in place for documenting inmate notification, incident review and retaliations monitoring.

The investigations were broken down as follows:

<b><u>Aggressor/Victim</u></b>	<b><u>Type</u></b>	<b><u>Final Disposition</u></b>	<b><u>How it was Reported</u></b>
Inmate on Inmate	Sexual Abuse	Unsubstantiated	Verbally Reported
Inmate on Inmate	Sexual Abuse	Unsubstantiated	Notification from Other Agency
Staff on Inmate	Sexual Abuse	Unsubstantiated	Reported in Writing
Staff on Inmate	Sexual Abuse	Unsubstantiated	Reported in Writing
Contractor on Inmate	Sexual Abuse	Unsubstantiated	3 <sup>rd</sup> Party Report
Inmate on Inmate	Sexual Abuse	Unfounded	Reporting in Writing
Staff on Inmate	Sexual Harassment	Unsubstantiated	Verbally Reported

Due to the final disposition of the 7 cases (1 unfounded and 6 unsubstantiated); there were no referrals for prosecution for filing false report, 6 30-Day Incident Reviews and 4 Retaliation Monitoring for review (2 inmates were released before retaliation monitoring could occur).

At the conclusion of the on-site visit, an exit meeting was held on June 27, 2018 at approximately 1530 to discuss the audit findings. The following staff attended:

John Jackson, Warden

Mitchell Bradshaw, Assistant Warden and PREA Manager

Tiffany Clark, Unit Manager

Taneshia Douglas, Unit Manager and Acting PREA Investigator

Currisma Robinson, Quality Assurance Manager

LaDawn O’Neil, Safety Manager

During the exit, the auditor explained the process that would follow the on-site review. The auditor also explained that if 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. 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.

## Facility Characteristics

CoreCivic operates the West Tennessee Detention Facility at 6299 Finde Naifeh Jr. Drive. The West Tennessee Detention Facility is approximately 141,062 square feet; and is situated on 43 acres near the small town of Mason, Tennessee. The facility was originally built in 1990 and 1991. The facility has a current rated capacity of 600 beds. The facility housed minimum, medium and maximum custody males and females. The United States Marshal's Office has a contract to house federal inmates at West Tennessee Detention Facility. The contract also includes housing inmates for the Department of Homeland Security Bureau of Immigration and Customs Enforcement, and the Bureau of Prisons. It has been through one expansion; the expansion increased the bed capacity from 400 beds to 600 beds in 1996.

The administrative area, support services are under one roof and controlled by video surveillance and double-fencing with razor around the perimeter of the entire facility. The facility has double row, 12-foot high fencing around the perimeter. The outer fence has six to seven rows of razor wire, and the inner fence has three rows of razor wire. The inner fence is equipped with an electric stun deterrent system. West Tennessee Detention Facility is equipped with a Thorn Automated Fire Alarm System, which activates in central control and the affected areas of the facility. The facility utilized CCTV and DVS's to store historic video with cameras strategically placed throughout the complex to hence the safety and security of the inmates and staff. There are currently 131 cameras and 5 DVR's for video storage. The facility also has numerous security mirrors throughout the facility to help add in security by eliminating blind spots. The West Tennessee Detention Facility has approximately 81 volunteers. The facility has a contract with Trinity to provide food services; Trinity has 6 positions, including a Food Director at the West Tennessee Detention Facility.

The West Tennessee Detention Facility includes 14 living units with a capacity of 600 beds. Each unit has 40 or 60 beds. One unit is designated as restrictive housing. There are two 60 bed dormitories. There is a three-foot wall separating the sleeping area from the dayroom. Another three-foot wall separates the toilets and shower facilities. There is a nine-cell intake unit. There is both a leisure and legal library available for all inmates inside the facility. The library provides a variety of services including; leisure reading book loaner program, provide weekly and monthly magazines, Microsoft Office available on 6 computers, legal research publications and references and Nexus Lexis availability.



The facility has a gymnasium which is 5,922 square feet and large outdoor recreation areas; which is equipped with a walking track, weights, basketball and volleyball courts. There are 11.6 acres inside the fence. The facility has a Barber Shop and is planning to add a second Barber Shop within the facility. West Tennessee Detention Facility houses both males and females; all females are housed in one unit (excluding those in medical and intake). Custody levels include low, moderate and high custody inmates. The facility has dedicated one 40 bed pod for restrictive housing. The fourteen housing units plus intake and medical are broken down as follows:

Housing Unit	Capacity	Gender	Population Type	Custody Level
A	40	Female	Sentenced/Unsentenced/ICE	All
B	40	Male	Unsentenced	Low/Mod
C	40	Male	Unsentenced	Low/Mod
D	40	Male	Restrictive Housing	All
E	40	Male	USM/BOP Sentenced	Low/Mod
F	40	Male	USM/BOP Sentenced	Mod/High
G	40	Male	Unsentenced	Mod/High
H	40	Male	Unsentenced	Mod/High
I-DORM	60	Male	Unsentenced	Low/Mod
J-DORM	60	Male	Unsentenced	Low/Mod
K	40	Male	Unsentenced, ICE	Low/Mod
L	40	Male	Unsentenced	Low/Mod
M	40	Male	Unsentenced	Low/Mod
O	40	Male	Unsentenced	Low/Mod
*T	18	Both	Intake/All	All
*MEDICAL	2	Both	Medical All	All

\* Not in the rated capacity.

All cells are approximately 112 ½ square feet and offer each inmate 52 square feet of unencumbered space. Each cell has a wash basin, toilet, window, and storage area. Each dayroom is equipped with tables and chairs for meals, television, microwave, telephones and kiosk. There are control centers staffed 24/7 for each housing unit with adequate visibility into each pod. Each cell has an intercom for contact with correctional staff. The facility offers work activities for those inmates who wish to volunteer. The facility staff members make transports to courts in Memphis each business day. Additional trips to Jackson, Nashville and to medical appointments are also made as needed.

A West Tennessee Detention Facility Investigator investigates incidents that occur in the detention facility, as well as his other duties assigned by the Warden. If the incident involves sexual abuse, the specialized trained facility investigator works with Mason City Police Criminal Detective; who is the lead investigator in the potential criminal case. The Investigator was well training in conducting investigations in a correctional setting.

Staff undergo 160 hours of orientation and basic training and 40 hours of on-the-job training before beginning work at the West Tennessee Detention Facility. All staff members attend 40 hours of in-service training each year. Administrative and supervisory staff participate in leadership and other specialized training. SORT training takes place in accordance with the annual training plan. The TEAM

Vision committee meets at least monthly and is charged with finding ways to implement best practices and increase staff involvement and morale and participate in community events. At this moment, the staff at West Tennessee are more than  $\frac{3}{4}$  way to meeting their goal to grant a child a wish from the local area through Make-A-Wish Mid-South. The committee is comprised of staff from all shifts and responsibilities.

Volunteers provide assistance to the West Tennessee Detention Facility programs. Methodist, Baptist, Catholic, Presbyterian, Jewish, Jehovah's Witness, and independent religious leaders conduct services and present special programs during holidays. Volunteers make presentations at self-help group meetings. The facility averages 75 religious services a month.

## Summary of Audit Findings

### Number of Standards Exceeded:

115.15, 115.22, 115.31, 115.33, 115.65, 115.86

### Number of Standards Met:

115.11, 115.12, 115.13, 115.14, 115.16, 115.17, 115.18, 115.21, 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, 115.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115.73, 115.78, 115.81, 115.82, 115.87, 115.88, 115.89, 115.401, 115.403

### Number of Standards Not Met:

### Summary of Corrective Action (if any)

N/A

The West Tennessee Detention Facility 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. **West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **West Tennessee Detention Facility PREA Policy 14-2**
4. **Job Description**
5. **Organizational Chart**
6. **Letter of Appointment**

#### B. Interview

1. **PREA Coordinator**
2. **PREA Manager**

115.11 (a) The West Tennessee Detention Facility staff follows the CoreCivic Policy 14-2 (page 1), 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. Policy also places emphasis on "aggressively" investigating all allegations. 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 CoreCivic Description outlines the responsibilities of the PREA Coordinator. Eric Pierson was appointed as the agency-wide PREA Coordinator. Mr. Pierson is the Senior Director, PREA Audit and Compliance in the Correctional Programs Department. The facility provided the auditor with the organizational chart showing the PREA Coordinator position as an upper-level, agency-wide position; an organizational chart provided illustrates this hierarchy. 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. He 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 Vice President of Operations and Administration; the Vice President reports to the Executive Vice President. The facility has a PREA Manager. On 10/10/17, the Warden appointed Assistant Warden Mitchell Bradshaw, the PREA Compliance Manager for the facility.

During an interview with the PREA Coordinator, he indicated they had sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards as required. During an interview with the PREA Manager, he 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 West Tennessee Detention Facility does not contract with other facilities to house inmates assigned to their custody. This was confirmed during an interview with the PREA Coordinator. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Staffing Plan
5. Employee Scheduling Deviation Form
6. Unannounced Round Documentation

#### B. Interviews

1. Warden
2. PREA Coordinator
3. Upper Level Supervisors conduction Unannounced Rounds
4. Random Inmates

#### 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 on-site review. Plan can be located in policy 14-2 pages 8-9.

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 residents 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 from 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.

West Tennessee Detention facility developed a staff plan in accordance with the requirements of 115.13 (a). The staffing plan was completed on 09/27/17. The staffing plan was completed and signed by the PREA Manager and Warden. The plan was then reviewed and signed by the agency PREA Coordinator and the Vice President of Facility Operations. 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 residents 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. 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 and notifications are made on the 5-1B Notice to Administration via the Incident Reporting Database (IRD). The Chief of Security is responsible for reviewing the PREA Staffing plan in conjunction with the daily shift roster. If a position is identified on the Staffing Plan is vacated for a shift, the Chief of Security shall notify the PREA Compliance Manager of the deviation. The PREA Manager will in turn; document the deviation on the 5-1B Notice to Administration via the IRD and notify the PREA Coordinator of the corrective action taken to resolve the notification. When staffing deviations arise, staff may volunteer to work over for overtime wages or they may be drafted to work over for overtime wages. This was confirmed during an interview with the PREA Manager. 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 PREA Manager completes a PREA Staffing Plan Assessment at least annually; it is then forwarded to the Warden for review. Once the Warden has reviewed the plan; it will be then forwarded to the agency PREA Coordinator. The facility has implemented procedures to ensure all deviations are covered. All deviations are documented and notifications are made on the 5-1B Notice to Administration via the Incident Reporting Database (IRD). This was confirmed during an interview with the PREA Manager. Any changes to the policy, physical plant, capital budget or staffing requires the approval of the Vice President of Operations. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.13 (d) Based on West Tennessee Detention Facility Shift Supervisor facility logs, staff interviews, policy 14-2 (page 9), 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 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. The auditor reviewed numerous entries in the Supervisor Log confirming this practice. This practice was also corroborated during interviews with Shift Supervisors. During random interviews, inmates generally stated they see supervisors daily. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist

#### B. Interviews

1. Warden

Based on an interview with the Warden, the West Tennessee Detention Facility is an all adult facility and does not house youthful offenders. No youthful offenders were observed during the site review. Therefore, this standard was found to be compliant 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. West Tennessee Detention Facility PREA Policy 14-2**
- 4. Policy/PO Number 9-5 Searches of Inmates/Residents and Various Locations**
- 5. Training Curriculum**

#### **B. Interviews**

- 1. Random Staff**
- 2. Random Inmates**
- 3. PREA Manager**
- 4. Quality Assurance Manager**

#### **C. Other**

- 1. Observation during Site Review**

The following delineates the audit findings regarding this standard:

115.15 (a) West Tennessee Detention Facility policy 14-2 (pages 15 and 16) 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. Exigent circumstances are documented the 5-1B Notice to Administration (NTA). There has not been an exigent circumstances that resulted in cross gender searches in the past twelve months; this was confirmed by the PREA Manager. Policy/PO Number 9-5 Searches of Inmates/Residents and Various Locations also outline this practice. 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) West Tennessee Detention Facility Policy 14-2 (pages 15 and 16) prohibits male employees from frisk/pat searches of female inmates/residents except in exigent circumstances. The agency has logs to document exigent circumstances when appropriate. Exigent circumstances are documented the 5-1B Notice to Administration (NTA). All staff and all inmates interviewed confirmed this practice. There have not been any exigent circumstances that resulted in cross gender searches in the past twelve months; this was confirmed by the PREA Manager. All inmates stated there are always both genders working each shift daily. The Quality Assurance Manager confirmed there were no occasions were 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) West Tennessee Detention Facility policy 14-2 (page 15 and 16), 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. Exigent circumstances are documented the 5-1B Notice to Administration (NTA). There

have not been any exigent circumstances that resulted in cross gender searches in the past twelve months; this was confirmed by the PREA Manager. Interviews with random staff confirm this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (d) West Tennessee Detention Facility policy 14-2 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. West Tennessee Detention Facility policy 14-2 (page 16) 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 on-site review, there were no transgender inmates in custody. During the past 12 months, there have not been any transgender inmates booked into the West Tennessee Detention Facility. This was confirmed by the PREA Manager. Therefore, the facility exceeding compliance with this part of the standard during this audit.

115.15 (e) Based on West Tennessee Detention Facility policy 14-2, 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 transgender or intersex inmates booked into the facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (f) Based on West Tennessee Detention Facility policy 14-2, 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 LBGTI 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

##### B. Interviews

1. PREA Manager
2. Random Staff
3. Random Inmates
4. PREA Investigator
5. Intake Staff

##### C. Other

1. TDD Phone
2. Language Line Services Agreement



### 3. Personal Observation

The following delineates the audit findings regarding this standard:

115.16 (a) The West Tennessee Detention Facility policy 14-2 (page 14) indicates that the West Tennessee Detention Facility 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 facility has two TDD phones; one TDD phone was tested for functionality by the auditor. There were four inmates with disabilities that were interviewed. The inmates and staff also confirmed that interpretive services are available when needed. The agency utilizes Language Line Services. 15 out of 15 random staff were aware of the Language Line Services. The West Tennessee Detention Facility has utilized the Language Line over 200 occasions; several invoices were supplied to the auditor. At the time of the on-site visit, the auditor utilized the Language Line to interview limited English proficient inmates. The PREA Manager, Intake Screening and Unit Managers all confirmed this practice. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.16 (b) The West Tennessee Detention Facility takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively accurately and impartially. Language Line Services and/or staff interpreters are used to translate at this facility. The West Tennessee Detention Facility has utilized the Language Line Services over 200 times; examples of invoices were provided to the auditor. At the time of the on-site visit, the auditor utilized the Language Line to interview limited English proficient inmates. 15 out of 15 random staff confirmed that interpretive services are available when needed. This process is documented on page 14 of the West Tennessee Detention Facility policy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.16 (c) West Tennessee Detention Facility policy 14-2 (page 14), illustrates the agency does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. The West Tennessee Detention Facility has utilized the Language Line Services over 200 times; examples of invoices were provided to the auditor. Language Line Services and/or staff interpreters are used to translate at this facility. This practice was corroborated by the PREA Manager, Unit Manager and PREA Investigator. The auditor utilized the Language Line Services to interview LEP inmates. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. West Tennessee Detention Facility PREA Policy 14-2**
- 4. Background Checks (10)**
- 5. Self-Declaration Forms**
- 6. Documentation for Previous Employers (2)**

### **B. Interviews**

- 1. Human Resource Staff**
- 2. PREA Manager**
- 3. Warden**

The following delineates the audit findings regarding this standard:

115.17 (a) According to agency policy 14-2 (pages 5 and 6), West Tennessee Detention Facility 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 form on all applicants as well as a background check is completed by the West Tennessee Detention Facility on all new applicants confirming compliance. Review of 10 Human Resource files confirms this practice; 10 out of 10 were found to be in compliance. West Tennessee Detention Facility 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. 10 personnel records were reviewed and all 10 had a signed Self-Declaration of Sexual Abuse/Sexual Harassment Form; these forms are resigned annually. All ten files contained comprehensive background investigations. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.17 (b) West Tennessee Detention Facility policy 14-2 (pages 5 and 6), the West Tennessee Detention Facility 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. 10 personnel records were reviewed and all 10 had a signed Self-Declaration of Sexual Abuse/Sexual Harassment Form; these forms are resigned annually. All 10 files contained comprehensive background investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (c)-1 West Tennessee Detention Facility requires a criminal background records check be completed before hiring any new employee. 10 out of 10 Human Resource files that were reviewed showed compliance. All 10 files contained comprehensive background investigations. Interview with Human Resource Staff corroborates compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

(c)-2 West Tennessee Detention Facility 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 the 3-20-2A Verification of Prior Employment. The auditor reviewed 2 such requests. This was also corroborated during an interview with the Warden. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (d) According to policy 14-2 (page 6), West Tennessee Detention Facility requires a criminal background records check be completed before enlisting the services of any contractor who may have contact with the inmates. Review of 2 contractor 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 14-2 (page 6), West Tennessee Detention Facility conducts criminal background records checks at least every 5 years on all current employees and contractors who may have contact with inmates. 10 employee Human Resource files were reviewed and 10 out of ten confirmed this practice. 2 contractor files were reviewed and 2 out of 2 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) West Tennessee Detention Facility policy 14-2 (page 6), 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 form on all applicants as well as a background check is completed by the West Tennessee Detention Facility 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. 10 Human Resource files were reviewed and all 10 had a signed Self-Declaration of Sexual Abuse/Sexual Harassment Form. All employees, volunteers and contractor resign the form annually. Files are stored in the TALEO Human Resource Software System. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.17 (g) West Tennessee Detention Facility policy 14-2 (pages 5 and 6), mandates that material omissions regarding sexual misconduct, and the provision of materially giving false information, are grounds for termination as required by this standard. During the past twelve months, there was no incident that was applicable for this section of the standard. Interview with the PREA Manager confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (h) West Tennessee Detention Facility policy 14-2 (pages 5 and 6), 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 PREA Manager 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility 14-2 PREA Policy

#### B. Interviews

1. PREA Manager
2. Warden

#### C. Other

1. Observation during Site Review

The following delineates the audit findings regarding this standard:

115.18 (a) West Tennessee Detention Facility policy 14-2 (page 30), requires when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse. During this audit cycle there have been no expansions or modifications to this facility. The last expansion to the facility was in 1996. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.18 (b) West Tennessee Detention Facility requires when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse. This was reaffirmed during an interview with the Warden and PREA Manager. 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. The last expansion to the facility was in 1996. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility 14-2 PREA Policy
4. Memorandum of Understanding

##### B. Interviews

1. PREA Manager
2. PREA Investigator
3. Warden
4. Random Staff
5. Health Services Administrator

The following delineates the audit findings regarding this standard:

115.21 (a) and (b) West Tennessee Detention Facility complies with all elements of this standard. According to policy 14-2 page 26, the agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings. The West Tennessee Detention Facility has a Memorandum of Understanding with the Mason City Police Department to investigate all PREA complaints for potential criminal activity and maintains a close working relationship with the Tipton 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) West Tennessee Detention Facility offers all victims of sexual abuse access to forensic medical examinations at the Jackson-Madison General Hospital without financial cost, where evidentiary or medically appropriate. The West Tennessee Detention Facility has a Memorandum of Understanding with Jackson-Madison General Hospital to provide these services. Such examinations are to be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) as required. The West Tennessee Detention Facility has a Memorandum of Understanding with Jackson-Madison General Hospital. During the past 12 months, there has not been an incident where this service was needed. This was confirmed by the PREA Manager and the acting Health Services Administrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (d) Policy 14-2 page 10, the West Tennessee Detention Facility has entered into a Memorandum of Understanding with WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM) 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) West Tennessee Detention Facility has entered into a Memorandum of Understanding with WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM) 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 (LCSW), 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 14-2 (page 10), and interview with the PREA Manager confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (f) The West Tennessee Detention Facility is responsible for administrative investigations and the Mason Police Department and criminal investigations with the cooperation of the Tipton County District Attorney's Office covering all aspects of this standard. During the past 12 months, there has not been a sexual abuse case referred to the Mason City Police Department for investigation. During the past 12 months, the West Tennessee Detention facility has had seven PREA incidents, all were found to be unfounded or unsubstantiated. Interviews with random staff and the PREA Manager corroborate policy 14-2 (pages 10 and 11). Interviews with the Warden 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility 14-2 PREA Policy
4. Referral Documentation

#### B. Interviews

1. PREA Manager

## 2. Facility Investigator

### C. Other

#### 1. Auditor Observation

The following delineates the audit findings regarding this standard:

115.22 (a) According to policy 14-2 (page 1), the West Tennessee Detention Facility is required to aggressively investigate all PREA complaints received at this facility. All potential criminal activity is referred to the Mason City Police Department as agreed upon on the Memorandum of Understanding. There were six reports of sexual abuse and 1 of sexual harassment during the past 12 months; all were unfounded or unsubstantiated. Interview with the PREA investigator and review of the seven investigative files confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (b) On page 25 of policy 14-2, all PREA allegations are investigated by the West Tennessee Detention Facility for potential criminal activity. The facility has a Memorandum of Understanding with the Mason City Police Department for investigating criminal behavior inside the facility. If it is determined that the allegation involves potential criminal activity, it is referred to the Mason City Police Department for criminal investigation and prosecution as warranted. During the past 12 months, the facility had seven total PREA incidents; all were deemed to be unfounded or unsubstantiated. This policy is posted in the facility's website as required. During the past twelve months 2 complaints were verbally made from inmates, 3 were made in writing, one was reported from another agency, and one was reported by a 3<sup>rd</sup> party. Interview with the PREA Investigator confirmed this practice. Therefore, the facility exceeds with this part of the standard during this audit.

115.22 (c) The West Tennessee Detention Facility refers all criminal allegations for investigation to the designated PREA Investigator from the Mason City Police Department. During the past 12 months, the West Tennessee Detention Facility has not had to refer any PREA incident to the Mason City Police Department. The requirements of this part of the standard are outlined in the policy that is posted on the facility's website ([www.corecivic.com](http://www.corecivic.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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Employee Training Files (10)
5. Acknowledgement Training Form

##### B. Interviews

1. Random Staff

The following delineates the audit findings regarding this standard:

115.31 (a) West Tennessee Detention Facility train all their employees who have contact with inmates on:

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

(10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

This is outlined in policy 14-2 (pages 6-8). Review of the training curriculum confirms this process. 15 out of 15 staff interviews revealed they had received PREA training on all listed bullets. 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 West Tennessee Detention Facility. 10 random training files were reviewed; 10 out of 10 were found to be in compliance with the agency's policy. 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 14-2 (pages 6-8) which meets the requirements of this standard. Review of 10 random training files revealed that 10 out of 10 were found to be in compliance. Training records are electronically stored in "Pathlore Learning Management System". Therefore, the facility exceeds this part of the standard during this audit.

115.31 (d) West Tennessee Detention Facility has a specific form for employees to sign acknowledging they have received and understand the PREA training, the Acknowledgement Form, 14-2A. Review of 10 random training files revealed that 10 out of 10 were found to be in compliance. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Training Files
5. Training Curriculum
6. Training Acknowledgement Form

#### B. Interviews

1. Volunteers
2. Contractors

The following delineates the audit findings regarding this standard:

115.32 (a) Policy 14-2 (page 8), West Tennessee Detention Facility ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under West Tennessee Detention Facility's zero tolerance, sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Interview with 3 volunteers and 3 contractors confirmed they received and understood PREA training. The Facility Chaplain conducts both initial and annual training for all volunteers. The Learning and Development Manager conducts training for all contract employees. 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 West Tennessee Detention Facility's zero-tolerance policy regarding sexual abuse and sexual harassment and their requirements to report such incidents. Volunteers and contractors were well versed in Zero Tolerance policy and First Responder duties. It is the practice of the West Tennessee Detention Facility, that volunteers and contractor are always escorted inside the West Tennessee Detention Facility. Male volunteers work with male inmates and female volunteers work with female inmates. During the past 12 months,



there were no volunteers or contractors who acted as First Responders to a sexual abuse incident. Review of 3 volunteer training files, 3 contractor 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 West Tennessee Detention Facility has developed and implemented the "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 West Tennessee Detention Facility. Training Activity Enrollment/Attendance Roster were also reviewed. The form covers the agency's policy, definitions, prohibited actions, reporting requirements and acknowledgment of the training. Volunteer are also required to sign a "Volunteer Agreement" form; by signing this for each volunteer agrees to follow CoreCivic policy and procedure and abide by the Volunteer Code of Ethics. Three volunteer training records were randomly reviewed; all had signed "Training Acknowledgement Form". Three contractor training records were randomly reviewed; all had signed "Volunteer/Contractor Receipt of PREA Training". Training records are electronically stored in "Pathlore Learning Management System". Volunteers and contractors were well versed in First Responder duties. Contractors keep a First Responder Card on their person; this was verified during 3 random contractor interviews were each contract employee produced the card upon request. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. West Tennessee Detention Facility PREA Policy 14-2**
- 4. CoreCivic Corporate and Facility Policy 14-1(LEP)**
- 5. Property Inventory and Receipt**
- 6. Inmate Training Records**
- 7. PREA Training Acknowledgement Forms**
- 8. Reassessment Documentation**

### **B. Interviews**

- 1. Intake Staff**
- 2. Random Inmates**
- 3. PREA Manager**

### **C. Other**

- 1. PREA Video**
- 2. LEP Brochure and Poster Material**

The following delineates the audit findings regarding this standard:

115.33 (a) West Tennessee Detention Facility policy 14-2 (pages 13 and 14) states that during the intake process, inmates receive information explaining West Tennessee Detention Facility's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Inmates receive 14-2A Preventing Sexual Abuse Brochure; this brochure is printed in both English and Spanish. The information is on a brochure and is part of their intake packet. PREA reporting information is also located on the back of the inmate's issued identification card. This process was corroborated during interviews with Intake Staff and random inmates. Therefore, the facility exceeds compliance with this part of the standard during this audit.

115.33 (b) During the intake process, West Tennessee Detention Facility 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. Extensive information is covered in the CoreCivic Inmate/Detainee Orientation to West Tennessee Detention Facility (pages 34-35); this document is printed in both English and Spanish. The West Tennessee Detention Facility has each inmate sign the "Orientation Acknowledgement Form" and the "Handbook, PREA Orientation Video and Orientation Video Acknowledgment Form". This form signifies they have received PREA training, know all the ways to report sexual abuse and sexual harassment and have been given the telephone number and address to the WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM). 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, West Tennessee Detention Facility has provided such education within one year of the effective date of the PREA standards to all its inmates, operates one facility; therefore, there are no inter-agency facility transfers. This was also confirmed

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

115.33 (d) West Tennessee Detention Facility 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 two TDD phones to assist inmates with these disabilities. A functionality test was successfully performed on the TDD phone by the auditor. The facility will assign staff as needed to ensure comprehension is achieved by inmates with disabilities. 4 inmates with disabilities were interviewed, all demonstrated how to report sexual abuse and were familiar with victim advocacy services available from WRAP. All 4 inmates with disabilities stated they had received in-depth PREA training. 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 West Tennessee Detention Facility has each inmate sign the "Orientation Acknowledgement Form". This form signifies they have received PREA training, know all the ways to report sexual abuse and sexual harassment and have been given the telephone number and address to the WRAP (WOMEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM). Randomly, ten inmate records were reviewed and all ten had a signed "Orientation Acknowledgement Form". The auditor did review "Orientation Acknowledgement Forms" completed in Spanish and signed by LEP inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (f) West Tennessee Detention Facility does provide the inmates with posters in inmate accessible areas, pamphlets received upon intake, and an inmate handbook in English and Spanish outlining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Items were observed by the auditor during the on-site visit. Spanish information is also available on posters located in each housing unit. The auditor utilized the Language Line Service and interviewed three LEP inmates; each stated they received and understand PREA training. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Training File

## 5. Training Curriculum

### B. Interviews

#### 1. PREA Investigator

The following delineates the audit findings regarding this standard:

115.34 (a) Documented in policy 14-2 page 7, the PREA Investigator has received the general PREA training provided to all employees (pursuant to 115.31) "PREA Overview". West Tennessee Detention Facility ensures that the investigators have received training in conducting investigations in confinement settings. The PREA Investigator has completed a 3-hour Relias Learning course on investigating sexual assaults in a confinement setting. Review of the PREA Investigator's training file confirmed this practice. The PREA Investigator was well versed in investigation procedures for sexual abuse in a confinement setting. Training records are electronically stored in "Pathlore Learning Management System". Therefore, the facility does not 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 3 -hour Relias Learning 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. The PREA Investigator was well versed in investigation procedures for sexual abuse in a confinement setting. Training records are electronically stored in "Pathlore Learning Management System". Therefore, the facility does not demonstrated compliance with this part of the standard during this audit.

115.34 (c) The PREA Investigators has completed the CoreCivic course on investigating sexual assaults in a confinement setting. The PREA Investigator completed the 3-hour Relias Learning course covering Investigating Sexual Abuse in Confinement Setting. The investigator completed the PREA training as outlined in 115.31 and signed the "Training Acknowledgement Form". This was confirmed during an interview with the PREA Investigator and by reviewing her training file. Therefore, the facility does not 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Training File

## **5. Training Curriculum**

### **B. Interviews**

#### **1. Medical and Mental Health Staff**

The following delineates the audit findings regarding this standard:

115.35 (a) Policy 14-2 (pages 6-8) outline training requirements for medical and mental health staff. The PREA Specialized Medical/Mental Health training video, curriculum provided, training file West Tennessee Detention Facility 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 training files confirmed this practice. Training records are electronically stored in "Pathlore Learning Management System". "Training Activity Enrollment/Attendance Rosters" were also reviewed. Compliance was also confirmed during interviews with the Medical and Mental Health Staff. 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 Jackson-Madison General Hospital. Therefore, this part of the standard is not applicable to this facility.

115.35 (c) West Tennessee Detention Facility has full-time medical and mental health staff. The agency maintains documentation that all medical and mental health practitioners have received specialized training. Specialized training consisted of the CoreCivic course for medical and mental health staff on dealing with sexual abuse incidents in a confinement setting. Review of 2 Medical/Mental Health training files confirmed this practice. Training was confirmed during an interview with medical and mental health staff. Training records are electronically stored in "Pathlore Learning Management System". "Training Activity Enrollment/Attendance Rosters" were also reviewed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (d) The West Tennessee Detention Facility policy 14-2 (pages 6-8) outline training requirements for medical and mental Health care staff. Medical and mental health care practitioners with CoreCivic also receive the annual training mandated for all employees, contractors, and volunteers. Interview with the medical and mental health staff and PREA Manager confirmed this training. Review of 2 Medical/Mental Health staff training files confirmed this practice. Training records are electronically stored in "Pathlore Learning Management System". "Training Activity Enrollment/Attendance Rosters" were also reviewed. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Screening Tool Form 14-2B
5. Reassessment Documentation

##### B. Interviews

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

The following delineates the audit findings regarding this standard:

115.41 (a) Policy 14-2 (pages 12-13) states the West Tennessee Detention Facility 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. Interview with the PREA Manager confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (b) The West Tennessee Detention Facility 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. 10 out of 10 records reviewed showed 100% compliance. Random inmate interviews corroborate this practice. Therefore, the facility demonstrated 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 (form 14-2B) 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 West Tennessee Detention Facility, in assessing inmates for risk of being sexually abusive. Review of the screening tool confirms compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (f) Within 30 days from the inmate's arrival, the West Tennessee Detention Facility PREA Coordinator will reassess each inmate's risk of victimization or abusiveness based upon any additional, relevant information received by West Tennessee Detention Facility since the intake screening. A report in the Offender Management System (OMS) outlines the which inmates are in need of a reassessment. The reassessment consists of a face-to-face interview with each inmate by the appropriate Unit Manager. File review (10 out of 10) and interview with the PREA Manager confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (g) West Tennessee Detention Facility will reassess an inmate's risk level when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. In the past twelve months, West Tennessee Detention Facility 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 Manager. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (h) West Tennessee Detention Facility 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) West Tennessee Detention Facility 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. Based on policy review, interview with the PREA Manager, and interviews with the staff responsible for completing the screening, all information gathered on the screening instrument is restricted to staff making housing, work and program assignments. Screening documents are electronically stored in the Offender Management System (OMS). Access is limited to personnel assigned to complete the screening and rescreenings, medical/mental health and administrative staff. Reassessments are secured in the Offender Management System (OMS). 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. West Tennessee Detention Facility Classification Plan

#### B. Interviews

1. LGBTI
2. Screening Staff
3. PREA Manager

The following delineates the audit findings regarding this standard:

115.42 (a) Policy 14-2 (pages 12-15) details West Tennessee Detention Facility'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. West Tennessee Detention Facility utilizes a document Classification Plan as a guide to all housing and programming issues. During the site review, the auditor randomly reviewed housing and programming for screened inmates. The Classification Coordinator manages reports on the OMS system, tracking Predator, Potential Predator, Victim and Potential Victim. The Screeners ensures all referrals to mental health are completed. Records review showed 4 out of 4 inmates were properly referred. Shift Captains and Unit Management are 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) West Tennessee Detention Facility makes individualized determinations about how to ensure the safety of each inmate. This was corroborated by the auditor's observation during the on-site review, housing records review and during an interview with the PREA Manager. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (c) West Tennessee Detention Facility 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, West Tennessee Detention Facility did not have any transgender inmates. The West Tennessee Detention Facility has developed and implemented a case-by-case process; this process shall be documented and shall be used anytime a transgender or intersex inmate is 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

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

115.42 (d) West Tennessee Detention Facility outlines the procedures for placement and programming assignments of each transgender or intersex inmate being reassessed at least twice per year by the Classification Staff review any threats to safety experienced by the inmate as required by this standard. Policy 14-2 (page 14) and interview with the PREA Manager confirmed this procedure. There were no transgender or intersex inmates housed in the facility for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (e) West Tennessee Detention Facility 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 West Tennessee Detention Facility utilizes the SART Team members to decide on a case-by-case basis housing and programming. Items reviewed include:

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

SART documents recommendations for housing, worker status, education opportunities; as well as, programming. The decision is documented in the "notes" section in the Offender Management System (OMS). Interview with two SART members confirmed this practice. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.42 (f) West Tennessee Detention Facility requires that transgender and intersex inmates be given the opportunity to shower separately from other inmates. During the time of the on-site review, there were no intersex or transgender inmates to interview. This is outlined in policy 14-2 page 16. The auditor observed that the showers at this facility are covered and allows all inmates privacy.



Housing and programming decisions are made by the SART members on a case-by-case basis. The decision is documented in the “notes” section in the Offender Management System (OMS). Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (g) West Tennessee Detention Facility 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 LBGTI related information. This was confirmed during an interview with a LBGTI inmate. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

## **B. Interviews**

- 1. Warden**
- 2. PREA Manager**
- 3. Segregated Housing Staff**

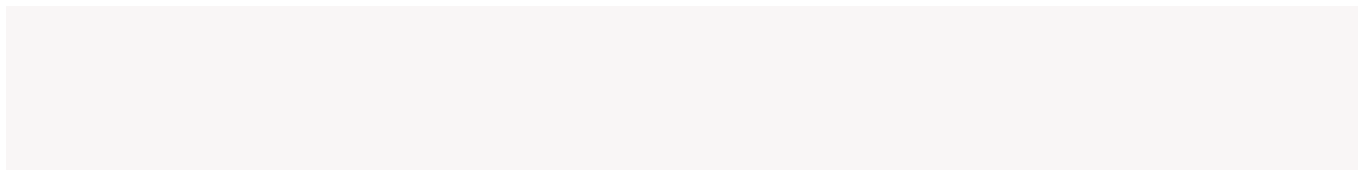
The following delineates the audit findings regarding this standard:

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 West Tennessee Detention Facility policy 14-2 (page 15), 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 Warden 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 West Tennessee Detention Facility restricts access to programs, privileges, education, or work opportunities, West Tennessee Detention Facility documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Segregated Housing Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility; therefore there were no 30 day reviews. Warden 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), (d), (e) Policy 14-2 (page 13) details the West Tennessee Detention Facility 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 PREA Manager. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (d) If involuntary segregated housing assignment is made, West Tennessee Detention Facility documents the basis for the facility's concern for the inmate's safety; and the reason why no alternative means of separation can be arranged by the facility. This was confirmed during an interview with the PREA Manager. 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. **West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **West Tennessee Detention Facility PREA Policy 14-2**

**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 14-2 (pages 16-17) state the West Tennessee Detention Facility provides multiple internal ways for inmates to report incidents of abuse or harassment. They include:

1. Submitting a request to meet with Health Services staff
2. Call the facility's twenty-four hour toll-free notification telephone number
3. Verbally telling any employee, including the facility Chaplain
4. Forwarding a letter, sealed and marked "confidential", to the Warden/Facility Administrator or any other employee
5. Calling or writing someone outside the facility who can notify facility staff
6. Forwarding a letter to CoreCivic Managing Director, Facility Operations, at the following address:  
  
10 Burton Hills Boulevard  
  
Nashville, TN 37215
7. Electronically report allegations of sexual abuse and harassment to any department listed in the C-ORES system as a contact.

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) West Tennessee Detention Facility provides at least one way for inmates to report abuse or harassment to a public or private entity or Office that is not part of West Tennessee Detention Facility, 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 West Tennessee Detention Facility has by Memorandum of Understanding provided the address and phone number for WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM) to the inmates satisfying the requirements of this standard. The external reporting hotline was tested during the site review. WRAP has TDD capability. The WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM) representative confirmed if a call was made by a West Tennessee Detention Facility Inmate, a notification would be immediately made to the West Tennessee Detention Facility Assistant Warden. The representative stated they have not received any such calls from any West Tennessee Detention Facility inmate. United States Marshal Inmates have pertinent information posted in each housing unit concerning procedures for reporting a sexual assault to staff; to the U.S. Marshal, the Field Office Director, or the Office of Inspector General by mail or by telephone at 1-800-869-4499. For ICE detainees, in accordance with ICE PBNDS 2.11.V14, Detainees may contact DHS/OIG or ICE/OPR to confidentially report sexual abuse or assault by using the following methods outlined in the ICE appendix 2.11.C

1. Tell an ICE/ERO staff member who visits the facility
2. Contact the ICE Community and Detainee toll-free Hotline 1-888-351-4024
3. Contact the ICE Office of Professional Responsivity (OPR) Joint Intake Center (JIC) as follows;
  - a. Call toll-free hotline number (1-877-246-8253
  - b. Email [joint.intake@dhs.gov](mailto:joint.intake@dhs.gov)
  - c. Send letter to P.O. Box 14475, 1200 Pennsylvania Avenue, NW, Washington DC 20044

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

115.51 (c) West Tennessee Detention Facility policy 14-2 (pages 16-17)) 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. 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 were 7 investigations generated by: 1 notification from another agency, 2 verbally to staff, 3 in writing and 1 via 3<sup>rd</sup> party report. Interviews with Random Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (d) West Tennessee Detention Facility staff may privately report sexual abuse and sexual harassment by forwarding a letter, sealed and marked "confidential", to the Warden or Facility Administrator. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

##### B. Interviews

1. Warden
2. PREA Manager

The West Tennessee Detention Facility PREA policy 14-2 page 18 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 or the Administrative Duty Officer. This process was confirmed during interviews with the PREA Manager and the Warden. 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. West Tennessee Detention Facility PREA Policy 14-2
2. Memorandum of Understanding with the WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM)
3. Posters and Brochures

##### B. Interviews

1. Random Staff
2. Interview with WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM) representative

The following delineates the audit findings regarding this standard:

115.53 (a) The West Tennessee Detention Facility policy 14-2 (page 10); details the agency's commitment to compliance. The agency has entered into a Memorandum of Understanding with the WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM) which agrees to provide confidential outside victim advocacies services to the inmates at West Tennessee Detention Facility. The mailing address and telephone number for this agency are made available to all inmates at the facility. Such information is given to inmate/detainee during orientation. West Tennessee Detention Facility enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. This was confirmed during an interview with the representative from the WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM). The services of these victim advocates have not been requested or used by the inmates during this audit cycle, verified by phone call to a representative of WRAP. The auditor observed "I have the Right to..." posters throughout the facility; the posters not only had reporting procedures but included a summation of Victim Support Services with contact numbers and address. WRAP has TDD capability. Information is also listed on the CoreCivic "Preventing Sexual Abuse and Misconduct" brochure that each inmate receives during the intake process; this brochure is printed in both English and Spanish. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

115.53 (c) West Tennessee Detention Facility maintains a Memorandum of Understanding with the WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM); the agency provides emotional support services to victims of sexual abuse. There were 5 unsubstantiated reported incidents of sexual abuse in the past 12 months; there were no alleged victims to interview at the time of the on-site 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Posters and Brochures

#### B. Interviews

1. PREA Manager
2. PREA Investigator

The following delineates the audit findings regarding this standard:

115.54 (a) The West Tennessee Detention Facility Policy 14-2 (page 19); details the agency's commitment to compliance. The agency provides multiple methods for receiving third-party reports of sexual abuse and sexual harassment; to include, tell friends and family members who may call the facility or mail a letter to report sexual abuse. Third Party Reporting procedures are posted in the agency's website ([www.corecivic.com](http://www.corecivic.com)). Inmates are advised of third party reporting on posters that are throughout the facility. The same information is also on the CoreCivic Preventing Sexual Abuse and Misconduct brochure that each inmate receives during the intake process; this is recorded on the facility issued items receipt in intake. The information available on CoreCivic 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, West Tennessee Detention Facility has received one third party report of sexual abuse; the incident was investigated and the final disposition was "unsubstantiated". This was confirmed during interviews with the PREA Investigator and PREA Manager. This was also corroborated by reviewing the facility's investigation files. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

## 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

#### B. Interviews

1. Warden
2. PREA Manager
3. Medical and Mental Health Staff
4. Random Staff

The following delineates the audit findings regarding this standard:

115.61 (a) The West Tennessee Detention Facility Policy 14-2 (page 18); 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 West Tennessee Detention Facility; 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 carries a First Responder Duties card. This card outlines the immediate steps that should be taken if an inmate/detainee reports sexual abuse. 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) West Tennessee Detention Facility 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. 15 out of 15 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) West Tennessee Detention Facility 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. All staff carries a First Responder Duties card. This card

outlines the immediate steps that should be taken if an inmate/detainee reports sexual abuse. During the past 12 months there has not been an incident requiring medical nor mental health practitioners to complete this procedure. This was confirmed during interviews with Medical and Mental Health staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (d) West Tennessee Detention Facility does not house juveniles/youthful offenders. CoreCivic presented a "Company Waiver/Exemption" for this section of the standard. This was confirmed by the PREA Manager/Assistant Warden. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (e) West Tennessee Detention Facility 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, West Tennessee Detention Facility 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

## B. Interviews

1. Warden
2. Random Staff

The following delineates the audit findings regarding this standard:

115.62 (a) The West Tennessee Detention Facility Policy 14-2 (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 West Tennessee Detention Facility is subject to a substantial risk of imminent sexual abuse. Interviews with the Warden and 15 out of 15 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. West Tennessee Detention Facility PREA Policy 14-2**
- 4. Reporting Documentation**

### **B. Interviews**

- 1. PREA Manager**
- 2. Warden**
- 3. PREA Investigator**

The following delineates the audit findings regarding this standard:

115.63 (a) The West Tennessee Detention Facility PREA Policy 14-2 (page 20); 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 West Tennessee Detention Facility 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 – Notification to Administration. During the past 12 months, West Tennessee Detention Facility has made a notification to another agency pertaining to sexual abuse: forms/emails were provided to the auditor showing proper documentation of the notification. This was confirmed during an interview with the PREA Manager. 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, West Tennessee Detention Facility has made a notification to another agency pertaining to sexual abuse; forms/emails was provided to the auditor showing proper documentation of the notification. This was confirmed during an interview with the Warden. 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 West Tennessee Detention Facility. During the past 12 months, West Tennessee Detention Facility has received one notification from another agency pertaining to sexual abuse. Records revealed that the allegation was referred immediately to the PREA Investigator to be investigated. The incident was investigation and found to be unsubstantiated. This was confirmed during interviews with the PREA Investigator and Warden. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Training Records

## **B. Interviews**

- 1. Potential First Responders**
- 2. Shift Supervisor**
- 3. Random Staff**
- 4. Inmates who have reported sexual abuse**

The following delineates the audit findings regarding this standard:

115.64 (a) The West Tennessee Detention Facility PREA Policy 14-2 (page 19); 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) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.64 (b) West Tennessee Detention Facility policy 14-2 (page 18), 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 highest ranking authority on-site is immediately notified and will further ensure to protect the safety of the victim and the integrity of the crime scene and any investigation. The auditor confirmed compliance based on interviews with random staff, potential first responders and training records of non-security staff. All employees and contractors are issued "First Responder Cards"; these cards are required to be on person. West Tennessee Detention Facility Supervisors also utilizes the Sexual Abuse Incident Checklist; this form is a step-by-step way of documenting an initial report or allegation of sexual abuse. This was confirmed during interviews with two shift supervisors. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. PREA Incident Checklist

#### B. Interviews

1. PREA Manager

The following delineates the audit findings regarding this standard:

115.65 (a) The West Tennessee Detention Facility PREA Policy 14-2 (pages 10 and 11); details the agency's commitment to compliance. CoreCivic policy 13-79 Sexual Assault Response outlines the agency procedure for treatment/triage, reporting sexual abuse and victim supporting and counseling services. West Tennessee Detention Facility 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, SART members, Security Staff, Mental Health Representative, Victim Services Coordinator, Shift Supervisor, PREA Manager and the PREA investigator. If an event occurred, the details of the response would be documented on the West Tennessee Detention Facility PREA Incident Check Sheet form; ensuring all steps of the plan are carried out in a timely and efficient manner by policy. Records review confirmed this procedure. Interviews with SART members confirmed their knowledge of the response plan. Therefore, the facility exceeds 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

##### B. Interviews

1. PREA Manager

The following delineates the audit findings regarding this standard:

115.66 (a) The West Tennessee Detention Facility PREA Policy 14-2 (pages 28 and 29); details that the agency's, nor any other entity responsible for collective bargaining on CoreCivic's behalf shall enter into or renew any collective bargaining agreement that limits the agency's ability to remove alleged employee sexual abusers from contact with any inmate/detainees pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. An interview with the PREA Manager 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 residents 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Retaliation Form for Staff and Inmate

#### B. Interviews

1. Warden
2. Retaliation Monitor

The following delineates the audit findings regarding this standard:

115.67 (a) The West Tennessee Detention Facility PREA Policy (numerous pages throughout the policy); details the agency's commitment to compliance. West Tennessee Detention Facility 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. West Tennessee Detention Facility has a retaliation form (14-2D) for inmates who report sexual abuse and a separate form for staff who report sexual abuse. West Tennessee Detention Facility seven investigations within the past 12 months, 6 were unsubstantiated, 1 was unfounded and none were found to be substantiated. Three alleged inmate victims were released from custody prior to Retaliation Monitoring. Records review showed 3 inmates had been under retaliation monitoring. The Mental Health Representative/Victim Advocate is also the Retaliation Monitor, confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (b) West Tennessee Detention Facility 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 (14-2D) has detailed information for all relevant notifications; if needed. . West Tennessee Detention Facility seven investigations within the past 12 months, 6 were unsubstantiated, 1 was unfounded and none were found to be substantiated. Three alleged inmate victims were released from custody prior to Retaliation Monitoring. Records review showed 3 inmates had been under retaliation monitoring. The Mental Health Representative/Victim Advocate is also the Retaliation Monitor, confirmed this practice. 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, West Tennessee Detention Facility 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. West Tennessee Detention Facility'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 (14-2D) has detailed information for all relevant notifications; if needed. . West Tennessee Detention Facility seven investigations within the past 12 months, 6 were unsubstantiated, 1 was unfounded and none were found to be substantiated. Three alleged inmate victims were released from custody prior to Retaliation Monitoring. Records review showed 3 inmates had been under retaliation monitoring. The Mental Health Representative/Victim Advocate is also the Retaliation Monitor, confirmed this practice. The Retaliation Monitor stated that one inmate had received retaliation monitoring past 90 days. 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, West Tennessee Detention Facility takes appropriate measures to protect that individual against retaliation. The Retaliation Form (14-2D) has detailed information for all relevant notifications; if needed. . West Tennessee Detention Facility seven investigations within the past 12 months, 6 were unsubstantiated, 1 was unfounded and none were found to be substantiated. Three alleged inmate victims were released from custody prior to Retaliation Monitoring. Records review



showed 3 inmates had been under retaliation monitoring. The Mental Health Representative/Victim Advocate is also the Retaliation Monitor, confirmed this practice. The Retaliation Monitor stated there had not been any suspicion of retaliation on any inmate or staff during the past 12 months. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

#### B. Interviews

1. PREA Manager
2. Segregated Housing Staff

The following delineates the audit findings regarding this standard:

115.68 (a) The West Tennessee Detention Facility PREA Policy 14-2 (page 15); details the agency's commitment to compliance. West Tennessee Detention Facility 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 Manager stated that if separation was required to protect the offender, they would be placed in segregation for no longer than 72 hours. This policy was corroborated during interviews with the PREA Manager and Staff working in segregation units. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Training Curriculum

#### B. Interviews

1. Warden
2. PREA Manager
3. PREA Investigator
4. Memorandum of Understanding

The following delineates the audit findings regarding this standard:

115.71 (a) The West Tennessee Detention Facility PREA Policy 14-2 (page 7); details the agency's commitment to compliance. West Tennessee Detention Facility PREA Investigator conducts an investigation immediately when notified of an allegation of sexual abuse and sexual harassment. There were 7 PREA incidents reported in the past twelve months; all investigative files 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) West Tennessee Detention Facility 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 RELIAS 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 Training Acknowledgement Form". Documentation confirming that investigators have completed the required

specialized training in conducting sexual abuse investigations are maintained in accordance with CoreCivic Policies 1-15 Record Retention and 4-2 Maintenance of Training Records. 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, West Tennessee Detention Facility has 7 PREA investigations. 6 were unsubstantiated, 0 substantiated, and 1 was deemed unfounded; therefore there were no referrals for prosecution. This was corroborated by reviewing all seven investigation files and by interview with the facility's PREA Investigator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (c) West Tennessee Detention Facility 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. In the past 12 months, West Tennessee Detention Facility has 7 PREA investigations. 6 were unsubstantiated, 0 substantiated, and 1 was deemed unfounded; therefore there were no referrals for prosecution. The auditor reviewed each case file and found that all investigations 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, West Tennessee Detention Facility refers the case to the Tipton County District Attorney's Office for prosecution. In the past 12 months, West Tennessee Detention Facility has not had any PREA investigations for referral. The dispositions of all PREA investigations were either unfounded or unsubstantiated. This was confirmed by the Warden and PREA Investigator. 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, West Tennessee Detention Facility has 7 PREA investigations. 6 were unsubstantiated, 0 substantiated and 1 was deemed unfounded; therefore there were no referrals for prosecution. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. No alleged victim had been given a polygraph test for the purposes of a PREA investigation. Interview with the PREA Investigator corroborated this policy and practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (f) West Tennessee Detention Facility 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, West Tennessee Detention Facility has 7 PREA investigations. 6 were unsubstantiated, 0 substantiated and 1 was deemed unfounded; therefore there were no referrals for prosecution. The auditor reviewed each case file and found that all investigations were conducted by 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) West Tennessee Detention Facility criminal investigations are documented by the West Tennessee Detention Facility 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, West Tennessee Detention Facility has 7 PREA investigations. 6 were unsubstantiated, 0 substantiated, and 1 was deemed unfounded; therefore there were no referrals for prosecution. This was confirmed by the PREA Investigator. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (h) West Tennessee Detention Facility refers all allegations to the West Tennessee Detention Facility PREA Investigator for investigation and prosecution when warranted. In the past 12 months, West Tennessee Detention Facility had 7 PREA investigations. 6 were unsubstantiated, 0 substantiated and 1 was deemed unfounded; therefore there were no referrals for prosecution. This was confirmed during an interview with the PREA investigator. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (i) West Tennessee Detention Facility retains all written reports for as long as the alleged abuser is incarcerated or employed by West Tennessee Detention Facility, plus five years. Interview with the PREA Coordinator confirmed this practice. CoreCivic policy 1-15 Retention of Records (PREA Investigation Section) corroborates this practice. This was corroborated by the PREA Manager. 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 West Tennessee Detention Facility or agency does not provide a basis for terminating an investigation. In the past 12 months, West Tennessee Detention Facility has had 7 PREA investigations. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Interviews with the PREA Investigator and Warden confirmed this practice. There had been one such incident in the past twelve months; the investigation was completed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (k) West Tennessee Detention Facility has a Memorandum of Understanding with the Mason City Police Department to conduct all PREA criminal investigations. There are no State or Department of Justice components that conducts PREA investigations at the facility. West Tennessee Detention Facility policy 14-2 outlines the requirements of the criminal investigation and complies with all aspects of this standard. The auditor found the West Tennessee Detention Facility 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) West Tennessee Detention Facility refers all criminal cases to the Mason City Police Department. During the past twelve months, West Tennessee Detention Facility has not had to utilize the services of the Mason City Police Department for investigating a sexual abuse incident within the facility. By policy, the facility remains informed of the progress of the investigation through communication between the Tipton County District Attorney's Office and the West Tennessee Detention Facility PREA Investigator agent handling the case. The PREA Investigator in turn keeps the PREA Coordinator updated. In the past 12 months, West Tennessee Detention Facility has had no inmates successfully referred for criminal charges for reporting a PREA incident in bad faith. This was confirmed during an

interview with the facility's PREA investigator. 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

1. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Evidentiary Standard

#### B. Interviews

1. PREA Investigator
2. Memorandum of Understanding

The following delineates the audit findings regarding this standard:

The West Tennessee Detention Facility PREA Policy 14-2 (page 26); details the agency's commitment to compliance. West Tennessee Detention Facility 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, West Tennessee Detention Facility has had 7 PREA investigations; all were unfounded or unsubstantiated. The auditor reviewed each case file and found that all investigations were conducted by 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Notification Documentation

##### B. Interviews

1. Warden
2. PREA Investigator

The following delineates the audit findings regarding this standard:

115.73 (a) The West Tennessee Detention Facility PREA Policy (pages 26 and 27); details the agency's commitment to compliance. Based on West Tennessee Detention Facility 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 West Tennessee Detention Facility Inmate PREA Allegation Status Notification Form (14-2E). The inmates are required to sign the form documenting

acknowledgement of this notification as required. In the past 12 months, West Tennessee Detention Facility has had 7 PREA investigations: appropriate notifications were made for each investigation to all inmates that were still in custody (3 inmates had been released prior to the completion of the investigation). Inmates sign the form; acknowledging the notification. The West Tennessee Detention Facility documents such notifications on the "Inmate PREA Allegation Status Notification Form". Records review confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (b) In accordance with the Memorandum of Understanding with the Mason Police Department, West Tennessee Detention Facility receives relevant information from the investigating agency in order to inform the inmate. This was confirmed by reviewing the MOU, interviews with the PREA Investigator and PREA Manager. In the past 12 months, West Tennessee Detention Facility has had 7 PREA investigations: appropriate notifications were made for each investigation to all inmates that were still in custody (3 inmates had been released prior to the completion of the investigation). Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (c) Based on West Tennessee Detention Facility 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 West Tennessee Detention Facility; or
- (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the West Tennessee Detention Facility

The documentation provided confirmed the inmates would be provided this notification on the West Tennessee Detention Facility Inmate PREA Allegation Status Notification Form (14-2E). The inmates are required to sign the form documenting acknowledgement of this notification as required. File review confirmed this practice. In the past 12 months, West Tennessee Detention Facility has had 7 PREA investigations: appropriate notifications were made for each investigation to all inmates that were still in custody (3 inmates had been released prior to the completion of the investigation). 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, West Tennessee Detention Facility 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 West Tennessee Detention Facility 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 West Tennessee Detention Facility Inmate PREA Allegation Status Notification Form (14-2E). In the past 12 months, West Tennessee Detention Facility has had 7 PREA investigations: appropriate notifications were made for each investigation. 3 inmates had been released prior to the completion of the investigation. All 7 investigations were unfounded or unsubstantiated. The inmates are required to sign the form documenting acknowledgement of this notification as required. If the inmate refuses to sign the notification form, two staff members who witnessed the refusal are required to sign the document. This practice was confirmed by the facility's

PREA investigator. There was once such incident requiring two staff signatures. 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 West Tennessee Detention Facility Inmate PREA Allegation Status Notification Form (14-2E). In the past 12 months, West Tennessee Detention Facility has had 7 PREA investigations: appropriate notifications were made for each investigation. 3 inmates were no longer in custody at the time of the completion of the investigation. All 7 investigations were unfounded or unsubstantiated. 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 West Tennessee Detention Facility's custody. In the past 12 months, West Tennessee Detention Facility has had 7 PREA investigations; appropriate notifications were made for each investigation. 3 inmates were no longer in custody at the time of the completion of the investigation. All 7 investigations were unfounded or unsubstantiated. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

#### B. Interviews

1. Warden

The following delineates the audit findings regarding this standard:

115.76 The West Tennessee Detention Facility PREA Policy 14-2 (page 28); 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 Warden. 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 Warden. 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 Warden. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

**B. Interviews**  
**1. Warden**

The following delineates the audit findings regarding this standard:

115.77 (a) The West Tennessee Detention Facility PREA Policy (page 29); 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 PREA investigation. This was corroborated by during an interview with the Warden. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.77 (b) West Tennessee Detention Facility takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. 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 Warden. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

#### B. Interviews

1. Warden
2. PREA Manager

The following delineates the audit findings regarding this standard:

115.78 (a) The West Tennessee Detention Facility PREA Policy 14-2 (page 27); 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 Manager. 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 Manager. 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 facility's Warden/Administrator and the responsible physician or designee. During the past 12 months, there has not been a need for such a referral. This was confirmed during an interview with medical and mental health 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, West Tennessee Detention Facility 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 mental health staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (e) West Tennessee Detention Facility 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 Manager. 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. This was corroborated by the PREA Investigator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (f) West Tennessee Detention Facility prohibits all sexual activity between inmates and may discipline inmates for such activity. CoreCivic policy chapter 15, Inmate Rules and Disciplinary outlines the in-house infractions and penalties for sexual misconduct. During the past 12 months, there has not been an incident that would call for disciplinary action. This was corroborated by the PREA Investigator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (g) The Warden advised that West Tennessee Detention Facility prohibits all sexual activity between inmates and may discipline inmates for such activity. Agency policy also confirms this



practice. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
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 West Tennessee Detention Facility and PREA Policy 14-2 (page 10); details the agency's commitment to compliance. CoreCivic policy "Mental Health Services" 13-61 outlines the agency policy for PREA Screening, referrals and comprehensive mental health evaluations. (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 West Tennessee Detention Facility 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. West Tennessee Detention Facility utilizes on-site staff for mental health services. The PREA Screening Staff makes the appropriate referrals to the facility's mental health staff. Interviews with the PREA Screening Staff and Mental Health Staff confirm this process. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (b) 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 West Tennessee Detention Facility 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 policy. CoreCivic policy "Mental Health Services" 13-61 outlines the agency policy for PREA Screening, referrals and comprehensive mental health evaluations The PREA Screening Staff makes the appropriate referrals to the facility's mental health staff. Interviews with the PREA Screening Staff and Mental Health Staff confirm this process. 4 random records were reviewed; all were properly referred. There is a clear handshake between Intake and Mental Health Staff who is a Licensed Clinical Social Worker.

115.81 (d) CoreCivic policy 13-74, "Privacy of Protected Health Information outlines the agency's policy on authorization required for disclosure protected health information. West Tennessee Detention Facility 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 Mental Health Staff corroborate this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (e) West Tennessee Detention Facility requires Medical and Mental Health Staff 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 West Tennessee Detention Facility has not housed an inmate under the age of 18 in the past 12 months. CORECIVIC does have Consent Form in place, if ever needed. This was confirmed by the acting Health Services Administrator. 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. **West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **West Tennessee Detention Facility PREA Policy 14-2**
4. **Medical and Mental Health Records**
5. **Memorandum of Understanding with Jackson General Hospital**

**B. Interviews**

1. **Medical and Mental Health Staff**

The following delineates the audit findings regarding this standard:

115.82 The West Tennessee Detention Facility and PREA Policy 14-2 (page 25); details the agency's commitment to compliance. CoreCivic policy 13-79, "Sexual Assault Response" outlines the agency's policy on intake screening, referrals to and response from mental health staff. (a) West Tennessee Detention Facility has an agreement with the WRAP (WO/MEN'S RESOURCE AND RAPE ASSISTANCE PROGRAM) 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 on-site mental health services. This practice was corroborated through an interview with the Mental Health Staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (b) West Tennessee Detention Facility 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 any substantiated victims of sexual abuse at the West Tennessee Detention Facility 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 West Tennessee Detention Facility PREA Policy 14-2 (page 25); details the agency's commitment to compliance. West Tennessee Detention Facility 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 any substantiated victims of sexual abuse at the West Tennessee Detention Facility 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) West Tennessee Detention Facility 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 West Tennessee Detention Facility that were in need of these services. West Tennessee Detention Facility maintains a Memorandum of Understanding with Jackson Madison General Hospital for such services: the MOU is good through March 20, 2021. 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

- West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
- PREA Compliance Audit Instrument Checklist
- West Tennessee Detention Facility PREA Policy 14-2
- Medical and Mental Health Records

#### B. Interviews

- Medical and Mental Health Staff

The following delineates the audit findings regarding this standard:

115.83 (a) The West Tennessee Detention Facility PREA Policy 14-2 (pages 11 and 12); details the agency's commitment to compliance. West Tennessee Detention Facility 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 Mental Health Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (b) West Tennessee Detention Facility 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. CoreCivic policy 13-79 Sexual Assault Response states inmates/detainee victim of sexual abuse shall receive timely, unimpeded access to emergency and ongoing medical evaluation, treatment, and crisis intervention services consistent with community level of care. 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 Mental Health Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (c) West Tennessee Detention Facility 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. Interview with Mental Health 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 West Tennessee Detention Facility 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. CoreCivic policy 13-79 Sexual Assault Response states inmates/detainee victim of sexual abuse shall receive timely, unimpeded access to emergency and ongoing medical evaluation, treatment, and crisis intervention services consistent with community level of care. 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 Mental Health Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (f) West Tennessee Detention Facility requires that medical and mental health staff provide inmate victims of sexual abuse while incarcerated tests for sexually transmitted infections as medically appropriate. CoreCivic policy 13-79 Sexual Assault Response states inmates/detainee victim of sexual abuse shall receive timely, unimpeded access to emergency and ongoing medical evaluation, treatment, and crisis intervention services consistent with community level of care. 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 Mental Health Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (g) West Tennessee Detention Facility 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 where these services needed to be utilized. Staff was well versed if an incident did occur. Interview with Mental Health Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (h) West Tennessee Detention Facility attempts 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 Staff. This was confirmed by records review and an interview with the Mental Health Staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

## 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Incident Review Form

#### B. Interviews

1. Warden
2. PREA Manager
3. Incident Review Team Members

The following delineates the audit findings regarding this standard:

115.86 (a) The West Tennessee Detention Facility PREA Policy 14-2 (pages 23 and 24); details the agency's commitment to compliance. West Tennessee Detention Facility 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 West Tennessee Detention Facility "Sexual Abuse Incident Review" form. The West Tennessee Detention Facility has had five PREA incidents that were unsubstantiated and zero substantiated; therefore, the West Tennessee Detention Facility has completed five Incident Reviews. This was confirmed by the PREA Manager and by file review of all PREA incidents in the past 12 months. Reviews are completed by SART members and are done on conference call with the agency's PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (b) West Tennessee Detention Facility 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. The West Tennessee Detention Facility has had 5 PREA sexual abuse incidents that were unsubstantiated and 0 substantiated; therefore, the West Tennessee Detention Facility has completed five Incident Reviews. This was confirmed by the PREA Manager and by file review of all

PREA incidents in the past 12 months. Reviews are completed by SART members and are done on conference call with the agency's PREA Coordinator. 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 Manager, PREA Investigator, Security representative, and medical or mental health practitioners. Team members were confirmed by the Assistant Warden. During the past twelve months, there have been 5 reported victims of sexual abuse at the West Tennessee Detention Facility; 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 West Tennessee Detention Facility 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 West Tennessee Detention Facility Sexual Abuse Incident Review Report. West Tennessee Detention Facility conducts an incident review for all cases and reviews all findings telephonically with the agency wide PREA Coordinator for additional review, clarification and guidance. This was corroborated by the PREA Manager and other members of SART. Therefore, the facility exceeds the intent of this part of the standard.

115.86 (e) According to policy 14-2, West Tennessee Detention Facility shall implement the recommendations for improvement, or shall document its reasons for not doing so. During the past twelve months, there have been 5 reported victims of sexual abuse at the West Tennessee Detention Facility; the Sexual Abuse Incident Review Report was properly completed for each incident. This was corroborated during file review and during an interview with the Warden. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Annual Report
5. PREA Monthly Statistical Reports

##### B. Interviews

1. PREA Manager

The following delineates the audit findings regarding this standard:

115.87 The West Tennessee Detention Facility PREA Policy 14-2 (pages 29 and 30); details the agency's commitment to compliance. (a), (b) and (c) West Tennessee Detention Facility 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 West Tennessee Detention Facility has completed an Annual PREA Report for the calendar year 2017.

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

115.87 (d) West Tennessee Detention Facility maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. During the past twelve months there have been 6 reports of sexual abuse and 1 report of sexual harassment. All dispositions were unfounded or unsubstantiated. The agency does have PREA monthly statistical reports available for usage. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (e) West Tennessee Detention Facility 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, West Tennessee Detention Facility provides all such data from the previous calendar year to the Department of Justice no later than June 30<sup>th</sup> when required. This was confirmed by the PREA Manager. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2
4. Annual Report

**B. Interviews**

1. Warden

The following delineates the audit findings regarding this standard:

115.88 (a) The West Tennessee Detention Facility and PREA Policy 14-2 (page 30); details the agency's commitment to compliance. West Tennessee Detention Facility 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 West Tennessee Detention Facility as a whole. This was corroborated during an interview with the Warden. 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 West Tennessee Detention Facility's progress in addressing sexual abuse. The agency needs to generate an annual PREA report. West Tennessee Detention Facility's report was approved by the Warden and made readily available to the public by posting on the agency's website ([www.corecivic.com](http://www.corecivic.com)). Therefore, the facility does not demonstrated compliance with this part of the standard during this audit.

115.88 (c) The West Tennessee Detention Facility has completed an Annual PREA Report for the calendar year 2017. The annual report was approved by the Warden and made readily available to the public by posting on the agency's website ([www.corecivic.com](http://www.corecivic.com)). Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.88 (d) West Tennessee Detention Facility 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 West Tennessee Detention Facility has completed an Annual PREA Report for the calendar year 2016. 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. West Tennessee Detention Facility Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. West Tennessee Detention Facility PREA Policy 14-2

#### B. Interviews

1. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.89 The West Tennessee Detention Facility PREA Policy 14-2 (page 29); details the agency's commitment to compliance. (a) through (d) West Tennessee Detention Facility 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, residents, 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 West Tennessee Detention Facility did have a PREA audit during the first audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (h) The auditor has full access to all location/areas of each West Tennessee Detention 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 West Tennessee Detention Facility 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 West Tennessee Detention Facility has had an initial PREA. 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.

**DOJ Certified PREA Auditor:**

Brian D. Bivens

July 9, 2018

**Auditor Signature**

**Date**