

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

Interim       Final

Date of Report    10/19/2018

### Auditor Information

Name: Amy Fairbanks, Robbin Bell      Email: fairbaa@comcast.net

Company Name: AJF, Correctional Consulting & Auditing, L.L.C.

Mailing Address: 3105 S. Martin Luther King Jr. Blvd. #236      City, State, Zip: Lansing, MI 48910

Telephone: (517) 303-4081      Date of Facility Visit: July 24 – 25, 2018

### Agency Information

Name of Agency:      Governing Authority or Parent Agency (If Applicable):

Lake County Sheriff's Office      NA

Physical Address: 25 South Martin Luther King Jr. Ave.      City, State, Zip: Waukegan, IL 60085

Mailing Address: same as above      City, State, Zip:

Telephone: (847) 377-4000      Is Agency accredited by any organization?  Yes     No

The Agency Is:       Military       Private for Profit       Private not for Profit

Municipal       County       State       Federal

Agency mission: To provide safe and secure detention of pre-trial detainees and county sentenced inmates.

Agency Website with PREA Information: <http://www.lakecountyiil.gov/756/Prison-Rape-Elimination-Act-PREA-Complia>

### Agency Chief Executive Officer

Name: Mark Curran      Title: Sheriff

Email: MCurran@lakecountyiil.gov      Telephone: (847) 377-4000

### Agency-Wide PREA Coordinator

Name: NA      Title:

|   |   |
|---|---|
| <b>Email:</b>   | <b>Telephone:</b>   |
| <b>PREA Coordinator Reports to:</b><br>Chief of Corrections | <b>Number of Compliance Managers who report to the PREA Coordinator</b> 0 |

**Facility Information**

|   |   |   |   |
|---|---|---|---|
| <b>Name of Facility:</b>                          | Lake County Sheriff's Office Adult Correctional Facility  |   |   |
| <b>Physical Address:</b>                          | 20 South County St. Waukegan, IL 60085  |   |   |
| <b>Mailing Address (if different than above):</b> | same as above   |   |   |
| <b>Telephone Number:</b>                          | (847) 377-4049  |   |   |
| <b>The Facility Is:</b>                           | <input type="checkbox"/> Military   | <input type="checkbox"/> Private for profit | <input type="checkbox"/> Private not for profit |
| <input type="checkbox"/> Municipal                | <input checked="" type="checkbox"/> County  | <input type="checkbox"/> State              | <input type="checkbox"/> Federal                |
| <b>Facility Type:</b>                             | <input checked="" type="checkbox"/> Jail  | <input type="checkbox"/> Prison             |   |
| <b>Facility Mission:</b>                          | To provide safe and secure detention of pre-trial detainees and county sentenced inmates.   |   |   |
| <b>Facility Website with PREA Information:</b>    | <a href="http://www.lakecountyil.gov/756/Prison-Rape-Elimination-Act-PREA-Complia">http://www.lakecountyil.gov/756/Prison-Rape-Elimination-Act-PREA-Complia</a> |   |   |

**Warden/Superintendent**

|  |                                    |
|--|------------------------------------|
| <b>Name:</b> Dave Wathen               | <b>Title:</b> Chief of Corrections |
| <b>Email:</b> dwathen@lakecountyil.gov | <b>Telephone:</b> (847) 377-4083   |

**Facility PREA Compliance Manager**

|   |                                  |
|---|----------------------------------|
| <b>Name:</b> Daniel Sheline             | <b>Title:</b> Sergeant           |
| <b>Email:</b> dsheline@lakecountyil.gov | <b>Telephone:</b> (847) 377-4170 |

**Facility Health Service Administrator**

|  |   |
|--|---|
| <b>Name:</b> Adriene Harris                  | <b>Title:</b> Health Services Administrator |
| <b>Email:</b> adharris@armorcorrectional.com | <b>Telephone:</b> (847) 377-4407            |

**Facility Characteristics**

|   |  |
|---|--|
| <b>Designated Facility Capacity:</b> 740  | <b>Current Population of Facility:</b> 555 |
| <b>Number of inmates admitted to facility during the past 12 months</b>   | 7459                                       |
| <b>Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more:</b> | 4175                                       |

|  |   |  |                             |
|--|---|--|-----------------------------|
| Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more:  |   | 6100                                   |                             |
| Number of inmates on date of audit who were admitted to facility prior to August 20, 2012:   |   | 0                                      |                             |
| Age Range of Population:   | Youthful Inmates Under 18: NA           | Adults:                                | 18-87                       |
| Are youthful inmates housed separately from the adult population?  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input 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:  |   | 14 days                                |                             |
| Facility security level/inmate custody levels:   |   | Minimum/medium/maximum                 |                             |
| Number of staff currently employed by the facility who may have contact with inmates:  |   | 210                                    |                             |
| Number of staff hired by the facility during the past 12 months who may have contact with inmates:   |   | 30                                     |                             |
| Number of contracts in the past 12 months for services with contractors who may have contact with inmates:   |   | 0                                      |                             |
| <b>Physical Plant</b>  |   |  |                             |
| Number of Buildings: 1   |   | Number of Single Cell Housing Units: 4 |                             |
| Number of Multiple Occupancy Cell Housing Units:   |   | 10                                     |                             |
| Number of Open Bay/Dorm Housing Units:   |   | 3                                      |                             |
| Number of Segregation Cells (Administrative and Disciplinary):   |   | 48                                     |                             |
| 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.): |   |  |                             |
| Monitors located in Central Control-2nd floor. There are approx. 300 cameras and security mirrors. Upgrades and additions were in progress during the audit.                           |   |  |                             |
| <b>Medical</b>   |   |  |                             |
| Type of Medical Facility:  |   | Ambulatory care.                       |                             |
| Forensic sexual assault medical exams are conducted at:  |   | Condell Hospital                       |                             |
| <b>Other</b>   |   |  |                             |
| Number of volunteers and individual contractors, who may have contact with inmates, currently authorized to enter the facility:  |   | 188 volunteers, 58 contractors         |                             |
| Number of investigators the agency currently employs to investigate allegations of sexual abuse:   |   | 22                                     |                             |

# Audit Findings

## Audit Narrative

On July 24-26, 2018, an audit was conducted at the Lake County Sheriff's Adult Corrections Division to determine compliance with the Prison Rape Elimination Act standards finalized August 2012. The facility was previously audited in January 2015 and found to be in compliance with all standards.

Documents reviewed for this audit received three weeks prior to the audit included the Pre-audit questionnaire, policies, contracts, accreditation reports, training curriculums, staff training records, contract/volunteer training records, logbooks, meeting minutes, Memorandum of Understanding (MOU), sexual abuse & harassment data. While on-site, additional random documents were requested and reviewed. Camera monitoring operations were also examined.

A tentative schedule was sent to the facility one week prior to the audit. On the first day of the audit, rosters of inmates and staff were provided to the auditors.

A brief formal meeting was held with the Chief of Corrections, Deputy Chief, PREA Coordinator and the two auditors. A list of random selection of staff as well as specialized staff was developed. It was noted that interviews need to be in a private setting. In addition, a list of inmates who required interviews based on the targeted areas was developed. Inmate interviews were held in private program areas located on each wing of the jail. One to two random inmates as well as targeted inmates were interviewed individually from each area.

A complete tour of the facility was conducted on July 24, 2018. The following areas and operations were visited and observed: inmate living areas, medical operations, booking operations, transport operations, property room, holding cells, laundry services, commissary, library/education areas, food service, barbershop, and food service operations.

Formal interviews were conducted with the following: Chief of Corrections Administration, PREA Compliance manager/coordinator, medical staff (contract – Health Services Administrator, social worker), human resource/lieutenant, corrections officers from all areas of the jail and each shift ( 7-3 shift, 3-11 shift, 11-7 shift – to include two booking staff) supervisors from each shift (two lieutenants, two sergeants), two investigators, investigator supervisor, two classification staff (who complete risk assessments), one contractual food service staff. No volunteers were present during the audit times that could be interviewed.

A total of 33 inmates were interviewed which included four inmates confined in the work release and four females. No youthful offenders are housed at this facility. Targeted inmate interviews included the following:

- two with limited English (staff interpreter utilized)
- two self identified as transgender
- one hard of hearing
- one self admitted homosexual
- one in a wheelchair

one who used a cane  
one who initiated a sexual harassment complaint  
two who self reported as having prior victimization

Investigations are conducted by the Lake County Sheriff's Office Criminal Investigations Division. Ten investigations from the previous 12 months were reviewed. They revealed the following:

- Two inmate on inmate harassment.
- Five inmate on inmate abuse.
- One staff on inmate abuse.
- Two were deemed not meeting the definition of a PREA violation.
- Five unsubstantiated.
- Three unfounded.
- One open.
- One demonstrated that staffs do report suspicions to the chain of command.
- One staff on inmate abuse was deemed unfounded, disciplinary action take due to evidence clearly showing the allegation was false.
- Two allegations were received from an outside third party and immediately investigated.
- One inmate on inmate abuse was deemed unsubstantiated. The facility responds quickly to allegations and utilizes there numerous housing options to separate the inmates.
- One inmate on inmate harassment was deemed unfounded as the investigation revealed that the complainant later indicated there was no problem. He had been immediately separated from the alleged harasser.
- One inmate on inmate abuse investigation was kept open; the investigator explained that since both the alleged victim and alleged perpetrator were no longer housed, the victim may feel different about pursuing the criminal matter and subsequent follow up contact would be made.

The auditor was allowed free access to all areas of the facility, access to interview inmates and staff selected randomly and intentionally, and to see any documentation requested. Posters were visible throughout the facility announcing the audit. Staff reported the posting of the posters six weeks prior to the audit; inmate interviews confirmed that posters announcing the audit were in each unit and visible to the inmate. No letters were received prior to the audit. No advocacy groups were identified as having shown interest in this facility.

## Facility Characteristics

Lake County Sheriff's Adult Detention Center is located north of Chicago, Illinois. It is a detention facility and work release that houses up to 740 inmates, with 210 staff. No youthful offenders are housed here. Contract services provide medical care and food service operations. Housing consists of single cells, multiple occupancy cells, open dorm housing and 48 restrictive housing beds. Individual cells have toilets and sinks in the room, open bay housing have a common area for toilets, sinks and showers. Booking contains six holding cells and two group cells. The medical area has cells in three separated areas, four cells each with a small dayroom area. The officer station has a view to all of these three areas.

Staff have body alarm cameras which were utilized as evidence in most of the PREA allegations.

The mission of the Lake County Sheriff's Adult Correctional Facility is to maximize community protection, public safety and victim's rights through the custodial supervision of sentenced individuals and pre-trial detainees utilizing direct supervision and innovative community-based management principles.

## Summary of Audit Findings

**Number of Standards Exceeded:** 0

**Number of Standards Met:** 45

- §115.11 – Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
- §115.12 – Contracting with other entities for the confinement of inmates
- §115.13 – Supervision and Monitoring
- §115.14 – Youthful Inmates
- §115.15 – Limits to Cross-Gender Viewing and Searches
- §115.16 – Inmates with Disabilities and Inmates who are Limited English Proficient
- §115.17 – Hiring and Promotion Decisions
- §115.18 – Upgrades to Facilities and Technology
- §115.21 – Evidence Protocol and Forensic Medical Examinations
- §115.22 – Policies to Ensure Referrals of Allegations for Investigations
- §115.31 – Employee Training
- §115.32 – Volunteer and Contractor Training
- §115.33 – Inmate Education
- §115.34 – Specialized Training: Investigations
- §115.35 – Specialized Training: Medical and Mental Health Care
- §115.41 – Screening for Risk of Victimization and Abusiveness
- §115.42 – Use of Screening Information
- §115.43 – Protective Custody
- §115.51 – Inmate Reporting
- §115.52 – Exhaustion of Administrative Remedies
- §115.53 – Inmate Access to Outside Confidential Support Services
- §115.54 – Third-Party Reporting
- §115.61 – Staff and Agency Reporting Duties
- §115.62 – Agency Protection Duties
- §115.63 – Reporting to Other Confinement Facilities
- §115.64 – Staff First Responder Duties
- §115.65 – Coordinated Response
- §115.66 – Preservation of ability to protect inmates from contact with abusers
- §115.67 – Agency protection against retaliation
- §115.68 – Post-Allegation Protective Custody
- §115.71 – Criminal and Administrative Agency Investigations
- §115.72 – Evidentiary Standard for Administrative Investigations
- §115.73 – Reporting to Inmate

- §115.76 – Disciplinary sanctions for staff
- §115.77 – Corrective action for contractors and volunteers
- §115.78 – Disciplinary sanctions for inmates
- §115.81 – Medical and mental health screenings; history of sexual abuse
- §115.82 – Access to emergency medical and mental health services
- §115.83 – Ongoing medical and mental health care for sexual abuse victims and abusers
- §115.86 – Sexual abuse incident reviews
- §115.87 – Data Collection
- §115.88 – Data Review for Corrective Action
- §115.89 – Data Storage, Publication, and Destruction
- §115.401 – Frequency & Scope of Audits
- §115.403 – Audit Contents & Findings

**Number of Standards Not Met:** 0

**Summary of Corrective Action (if any)**

115.22, 115.42, 115.67, and 115.71 required corrective action plans. 115.22 and 115.71 related to administrative investigations. The Criminal Investigation Division was addressing non-criminal allegations but there was not a formal review of staff actions. For the previous 12 months, no investigations revealed a concern with staff actions; it was reported that the Deputy Chief does in fact consider this when he receives a final copy of the investigation. The facility was required to formalize a process to ensure it is reviewed. The facility has housed inmates self-identified as transgender, however they do not stay at the facility long enough to require a 6 month evaluation. Even so, the facility was required to formalize the process to ensure that inmates self-identified as transgender or intersex are evaluated every six months, and ensuring their own views are considered. For 115.67, again as administrative investigations are not formally reviewed, the process for retaliation monitoring from the time of the report was getting missed. The PREA Coordinator does function as the person who monitors for retaliation, and retaliation prevention is addressed by policy. However, by developing a process to address administrative investigations outside the criminal division, the facility was required to formally develop a process, with clear documentation addressing all the requirements, to monitor for retaliation from the beginning of an investigation. A revised policy was sent to the auditor; based on the changes these standards are now considered compliant.

In addition, policy changes were needed to become compliant with 115.81 and 115.83. 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 was added to policy. in addition, the offering of a pregnancy test was added to policy.

**DATA COLLECTION AND REVIEW**

**PREVENTION PLANNING**

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

**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*)

- (a) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The Lake County Sheriff's Adult Correctional Division (LCSACD) shall provide a safe, humane, and secure environment for all offenders. The LCSACD administers a program of education, prevention, detection, response, investigation, and tracking of all reported acts of sexual assault. Punishment for the perpetrator is enforced. The LCSACD shall protect the rights of staff, inmates, residents, clients, and all other authorized persons regardless of gender, or sexual orientation, by holding perpetrators accountable, holding correctional personnel accountable who fail to detect, prevent and reduce the incidence of illegal or inappropriate behavior and by holding accountable correctional personnel who fail to discipline or punish the perpetrators of sexual crimes and sexual misconduct. Every allegation of sexual misconduct will be investigated, and when warranted, sanctions up to and including dismissal of authorized personnel, discipline of offenders, and criminal prosecution of authorized personnel and/or offenders will be imposed.

This policy supports the requirement supporting a zero tolerance and detailing how it will

prevent, detect and respond to all matters related to sexual abuse and harassment.

- (b) The policy addresses all aspects of the efforts to comply with the PREA standards to include definitions, Prevention, Intervention and Response, Inmate Risk Assessment, training requirements, inmate orientation, investigation, inmate sanction, incident reviews, follow up actions, documentation, data collection and review.
- (c) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, PREA Coordinator - A staff member assigned to the Accreditation position shall serve as LCSACD PREA Coordinator to develop, implement, and oversee LCSACD efforts to comply with the PREA standards. A memo dated 11-28-2013 from the Chief of Corrections designates Sgt. Sheline as the PREA Coordinator, noting he has the authority and reports directly to the Chief on all matters pertaining to PREA. The interview with the PREA Coordinator and Chief of Corrections supports that he is given the proper time and authority to perform his responsibilities as the PREA Coordinator.

The agency operates the jail and work release center, both are located in one building. Therefore, there is no PREA Manager assigned.

Compliance finding based on the following:

Documentation - Policy noted above.

Interviews - Chief, PREA Coordinator/Manager

Observations - Overall observations made during the audit process.

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

### 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*)

This agency does not contract with anyone for the confinement of their inmates. During the audit process, the auditor found no evidence to dispute this fact.

## Standard 115.13: Supervision and monitoring

### 115.13 (a)

- (d) 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
- (e) 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
- (f) 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
- (g) 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
- (h) 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
- (i) 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
- (j) 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
- (k) 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
- (l) 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
- (m) 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

- (n) 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
- (o) 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
- (p) 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)

- (q) 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*)

(a) STAFFING REQUIREMENTS 1.1-006 states the following:

The jail shall ensure that each facility it operates shall develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring to protect inmates against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring the jail shall take into consideration the following:

- a. Generally accepted detention and correctional practices
- b. Any judicial findings of inadequacy
- c. Any findings of inadequacy from Federal investigative agencies
- d. Any findings of inadequacy from internal or external oversight bodies
- e. All components of the facility's physical plant including blind spots or areas where staff or inmates may be isolated
- f. The composition of the inmate population
- g. The number and placement of supervisory staff
- h. Institution programs occurring on a particular shift
- i. Any applicable state or local laws, regulations or standards
- j. The prevalence of substantiated and unsubstantiated incidents of sexual abuse
- k. Any other relevant factors

There is a staffing plan meeting conducted annually which include the PREA Coordinator/Manager. The eleven requirements are listed and reviewed individually. Review of the staffing plan supports sufficient coverage to operate the agency.

(b) Staffing Requirements 1.1-006 states the following:

In circumstances where the staffing plan is not complied with, the jail will document and justify all deviations from the plan.

Staffing rosters document changes made to the staffing roster for each shift. Overtime is used to cover positions deemed necessary. The facility reports they have not had to deviate from the staffing plan. Review of 12 randomly selected daily shift rosters on the 12th of each month supports compliance.

(c) As stated, there is a staffing plan meeting conducted annually which includes and the PREA Coordinator/Manager. The eleven requirements are listed and reviewed individually. The facility is actively increasing and upgrading the camera system throughout. A plan is in place prioritizing placement. The project is expected to increase camera coverage over the next year.

(d) STAFFING REQUIREMENTS 1.1 states, Intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. The rounds will be conducted on all shifts. Staff members are prohibited from alerting other staff members that the rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility.

Documentation showing unannounced rounds for a randomly selected day for all areas and all shifts was requested and supported compliance. Random staff interviews supported they are aware

of the requirement to not alert other staff when the supervisor is making rounds. Interviews with supervisory staff indicate they have a strategy to avoid being predictable by taking a different route, different time and even not conducting all rounds at one time.

Compliance based on the following:

Documentation - Policy, staffing plan, log entries demonstrating unannounced rounds, randomly selected staffing rosters for the 3<sup>rd</sup> of each month for the last six months all demonstrate compliance with the standard. Staffing plan meeting minutes demonstrate compliance.

Interviews - Interview with the Chief of Corrections, supervisory staff and line staff support compliance.

Observations - The auditor witnessed unannounced rounds while conducting interviews in the facility.

## Standard 115.14: Youthful inmates

### 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*)

ILCS 405/5-410(2) (b) (v) prevents minors from being housed with adults. No minors were housed at this facility. The auditor found no evidence to dispute this during the audit process.

## Standard 115.15: Limits to cross-gender viewing and searches

### 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*)

(a) 2.6-010 STRIP SEARCHES states, Strip searches will only be conducted by an officer of the same gender. Cross-gender strip searches and visual body cavity searches are prohibited. 2.6-019 INTERNAL TRANSPORT states Male officers will never pat down female inmates and female officers will never pat down male inmates. If a female officer is assigned to a male housing unit, a male transport officer will pat down any male inmates entering or departing the housing unit. If a female officer needs to conduct a male inmate pat down in the housing unit a male officer will report to the housing unit to conduct the search. If a female officer is assigned to a male housing unit, a male transport officer will pat down any male inmates entering or departing the housing unit. If a female officer needs to conduct a male inmate pat down in the housing unit a male officer will report to the housing unit to conduct the search.

It was reported that there has not been any opposite gender strip searches conducted. In the event there was, an incident report would be written. See comments to subpart (c).

(b) 4.2-001 INMATE PROGRAMS AND SERVICES states, Inmates have access to educational programs and, when available, to vocational counseling and vocational training. Educational and vocational programs address the needs of the inmate population. Female inmates' access to regularly available programming or other out-of-cell opportunities will not be denied due to the facility's inability to perform same sex pat searches of female inmates.

A programming roster was provided to demonstrate when programming is available for the female population. Inmates interviews with the female inmates support that they receive programming as scheduled; this has not been cancelled due to lack of female staff.

(c) REPORT WRITING POLICY STATES, officers are required to prepare a written document anytime an incident occurs during the officer's shift that is out of the ordinary . . .

This facility notes that no exigent circumstances resulted in cross-gender strip searches or visual body cavity searches. The auditor found no evidence to dispute this during the audit process.

(d) 3.3-002 INMATE HYGIENE states, Inmates will be able to shower, perform bodily functions and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering an inmate housing unit.

During the audit, opposite gender staffs were announced in each unit by the officer, whose station is at the entrance of the housing pod. Housing cells and bathroom areas were designed in a manner which protects privacy, affording a place to change clothes/use the toilet without being directly observed.

2.3-002 HOUSING UNIT RELIEF PROCEDURES states, Female officers, when working male units, will announce their presence as a female officer to all inmates in the male housing unit. The announcements will occur no less than four times per shift with the initial announcement being at the beginning of the shift and at approximately every two hours throughout the duration of the shift. The announcements must be logged every time into the pod log book that they have been completed.

Policy states, a male officer will not enter a female housing unit except in emergency situations such as a disruptive inmate; medical emergency or any distress or emergency call by the unit officer. When picking up or dropping off females for or from transport, male officers will not enter the housing unit. The female officer will meet the male officer at the unit door to collect the inmate ID cards. When a male supervisor enters a female housing unit they must announce their presence and wait briefly before making a round through the pod. When a female supervisor enters a male housing unit they must announce their presence and wait briefly before making a round through the pod.

(e) 2.6-010 STRIP SEARCHES states, Strip searches or physical examinations will not be conducted on a trans-gender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate or by reviewing medical records. Inmate interviews as well as the interview with the Chief of Corrections support that this has not and will not occur.

(f) 2.6-010 STRIP SEARCHES states, The agency shall train security staff in how to conduct cross-gender pat-down searches and searches of transgender and intersex inmates, in a professional and respectful manner and in the least intrusive manner possible, consistent with security needs.

Review of the training curriculum addresses this requirement. Training records were reviewed that support compliance. Random staff interviews support that they have received the training.

Compliance based on the following:

Documentation - Policies noted above.

Interviews - All interviews with staff and inmate support compliance.

Observations - During the audit, male and female staff/auditors were announced when entering opposite gender living areas. Observations of the design of the living unit.

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

### 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*)

(a) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states

Upon intake, all inmates will receive information on the LCSACD zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. The LCSACD inmate handbook contains information regarding sexual assault/battery and staff sexual misconduct/harassment. This information will be provided during the inmate booking process. Inmates that participate in community based programs will be provided the Sexual Assault Awareness pamphlet during the initial intake process. . . . Inmate PREA education is available in accessible formats for all inmates including those who are:

Limited English proficient  
Deaf  
Visually impaired  
Otherwise disabled  
Limited in their reading skills

For blind inmates, an officer is assigned to read all applicable PREA related material to the inmate.

For hearing impaired inmates, an officer will be assigned to give the written PREA materials to the inmate and instruct the inmate to read them. They will then verify with the inmate that they understand what they have read.

For inmates with psychiatric disorders of a magnitude where they cannot understand the written or spoken PREA materials they will be housed in the medical unit in a single cell with offsetting hours out in the dayroom from the other inmate housed in the unit.

For inmates with language barriers, officers will translate. If no officers have that capability we will use our contracted language translation service for translation of any language we cannot support at the local level.

For any and all cases where there is a question as to what assistance the inmate needs, the Administrative Lieutenant will determine the needs and pass this on to Jail Administration for a decision and resolution.

(b) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states

The Lake County Jail takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

The Lake County Jail uses Spanish speaking officers to translate for Spanish, as this is the most common spoken language, other than English, in this area. The County of Lake contracts with Language Line Solutions (800) 367-9559, a language translation service for translation of any language we cannot support at the local level. They are capable of providing language interpreters for any language.

(c) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The Lake County Jail 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 performance of first-response duties under 115.64, or the investigation of the inmate's allegations. The Lake County Jail does not use inmates as inmate assistants, inmate interpreters or inmate readers or in any capacity other than our work force. We use staff, local support, or contracted services. In exigent circumstances, if necessary, this may be reconsidered.

The facility reports that inmates have not been used to interpret any PREA allegations. During the audit process, the auditor found no reason to dispute this statement.

Compliance based on the following:

Documentation - Policy and inmate handbooks support compliance; information on the language line was provided.

Interviews - Limited English inmates and staff interpreters support compliance.

Observations - General observations made during the tour.

## **Standard 115.17: Hiring and promotion decisions**

### **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, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?  Yes  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*)

(a) 1.3-007 EMPLOYMENT STATUS states, The LCSACD prohibits the hiring or promoting anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who:

a. Has engaged in sexual abuse in prison, jail, lockup, community confinement facility, juvenile facility or other institution (as defined in 42 U.S.C. 1997).

b. 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;

c. Has been civilly or administratively adjudicated to have engaged in the activity described above in this section.

The application process addresses these questions as well as the interview for a position.

(b) 1.3-007 EMPLOYMENT STATUS states, The LCSACD requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmate.

It was reported that no candidate or employee had a prior history of sexual harassment that had to be considered.

(c) 1.3-007 EMPLOYMENT STATUS states, The LCSACD requires that before it hires any new employees who may have contact with inmates it conducts criminal background checks and consistent with federal, state and local law, makes it 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 allegations of sexual abuse.

The auditor was able to verify that three new officers with prior correctional experience had their prior agency contacted for information and references prior to employment. Background checks for all potential new hires are conducted through the National Crime Information Center (NCIC).

(d) 1.3-007 EMPLOYMENT STATUS states, A criminal record check is conducted on all new employees, contractors, and volunteers prior to their assuming duties in order to identify whether there are criminal convictions that have a specific relationship to job performance.

(e) 1.3-007 EMPLOYMENT STATUS states, The LCSAD requires that criminal background checks be conducted at least every five years for current employees and contractors who may have contact with inmates or that a system is in place for otherwise capturing such information for current employees.

The auditor was able to review background checks conducted on all current employees in February 2017, prior to the five year requirement, using the NCIC.

(f) 1.3-007 EMPLOYMENT STATUS states The LCSACD will ask all applicants and employees who may have contact with inmates directly about previous misconduct in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees.

As stated, this is directly asked of each applicant during the interview process. The auditor observed the interview paperwork on two candidates which supported this.

(g) 1.3-007 EMPLOYMENT STATUS states, The LCSACD will also impose upon employees a continuing affirmative duty to disclose any such misconduct. Material omissions regarding such misconduct or the provision of materially false information shall be grounds for termination.

Staff in new employee orientation sign acknowledging receipt of policy which requires a continuing duty to report.

(h) 1.3-007 EMPLOYMENT STATUS states, Consistent with state law, the LCSAD will provide information on substantiated allegations of sexual harassment involving a former employee upon

receiving a request from an institutional employer for who such employee has applied for work. Upon receipt of a release, staff will provide this information; however, it was reported that this occurrence had not yet happened. The auditor found no reason to dispute this statement during the audit process.

Compliance based on the following:

Documentation - Policies, documentation in the personnel files including signed questionnaires and interview questions and responses. Review of information received regarding reference checks.

Interviews - Interviews with staff who participate in the hiring and background checks, interviews with new staff, interview with the Chief of Corrections and PREA Coordinator all supported compliance with the requirements of this standard.

Observations - General observations made during the tour.

## Standard 115.18: Upgrades to facilities and technologies

### 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*)

(a) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the LCSACD will consider the effect of the design, acquisition, expansion or modification upon the ability to protect inmates from sexual abuse.

Currently the food service operation and booking operation is being remodeled and redesigned. Considerations of a design that will best serve to protect the inmate population was discussed during the tour.

(b) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the LCSACD will consider how such technology may enhance our ability to protect inmates from sexual abuse.

An extensive video surveillance system is being implemented in stages to provide additional protection to staff and inmates. The auditor observed the installation of new/upgraded cameras during the audit.

Compliance based on the following:

Documentation - Policy

Interviews - Interview with the Chief of Corrections and conversations with staff on the facility tour.

Observations - Progress noted in construction, progress noted with camera installation.

Observation of the video monitoring operations.

## RESPONSIVE PLANNING

### Standard 115.21: Evidence protocol and forensic medical examinations

#### 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. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)  Yes  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 evidentiarily 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*)

(a) Lake County Sheriff's Office, Sexual Assault Incident Procedures supports that a uniform evidence protocol is used that is "evidence-based, trauma-informed, and victim-centered." Interviews State of Illinois protocols.

(b) As noted, The investigation division follows protocols established by the State of Illinois as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act.

(c) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states that the victim will be escorted to a Rape Treatment Center.

Staff currently report that the Vista East hospital will makes efforts to provide a SANE/SAFE examination.

(d) The MOU with the Zacharias Sexual Abuse Center (ZSAC) states all efforts will be made to provide a ZSAC advocate to meet the inmate at the hospital.

(e) The MOU with the Zacharias Sexual Abuse Center (ZSAC) states all efforts will be made to provide a ZSAC advocate to meet the inmate at the hospital.

(f) This is not applicable to this agency. The Detective Division of the Lake County Sheriff's office conducts the investigations.

(g) This is not applicable to this agency. The Detective Division of the Lake County Sheriff's office conducts the investigations.

(h) Based on interview with staff from Zacharias Sexual Abuse Center, staffs receive an extensive 40 hour training that includes session led by the prosecutor, SANE nurses, and various other staff who train in counseling. Staff must pass a background check as well.

Compliance based on the following:

Documentation - Review of investigations, MOU with Zacharias Sexual Abuse Center.

Interviews - Interview with staff from Zacharias Sexual Abuse Center, medical staff, investigators.

Observations - Phone numbers posted by the inmate phones.

Although phone records reflect no phone calls have been made in the past 12 months, the auditor is confident that the information is appropriately communicated in orientation as well as posted on the phones. Inmate interviews reflected a vague awareness of the phone number with the caveat that they did not need the service so in essence didn't think about it.

## Standard 115.22: Policies to ensure referrals of allegations for investigations

#### 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*)

(a) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The Lake County Sheriff's Office ensures that all allegations of sexual abuse or sexual harassment are referred to the Criminal Investigation Division (CID), who has the legal authority to conduct criminal investigations, for investigation unless the allegation does not involve potentially criminal behavior.

(b) 3.6-007 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states The Lake County Sheriff's Office ensures that all allegations of sexual abuse or sexual harassment are referred to the Criminal Investigation Division (CID), who has the legal authority to conduct criminal investigations, for investigation unless the allegation does not involve potentially criminal behavior. Lake County Sheriff's Office, Sexual Assault Incident Procedure is available to the public.

(c) This is not applicable to this facility.

(d) This is not applicable to this facility.

(e) This is not applicable to this facility.

Compliance based on the following:

Documentation - A new process for possibly conducting and reviewing administrative findings has been developed.

Interviews - Interviews with the Chief of Corrections, PREA Coordinator and investigators support that all investigations are referred to the CID.

Observations - Observations made during the audit process support a finding of compliance.

## TRAINING AND EDUCATION

### Standard 115.31: Employee training

#### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The training shall include, but not be limited to:

Staff Training Requirements:

LCSACD Zero-Tolerance policy for sexual abuse and sexual harassment

How to fulfill their responsibilities under the LCSACD sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures

The right of inmates to be free from sexual abuse and sexual harassment  
The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment  
The dynamics of sexual abuse and sexual harassment in confinement  
The common reactions of sexual abuse and sexual harassment victims  
How to detect and respond to signs of threatened and actual sexual abuse  
How to avoid inappropriate relationships with inmates  
How to communicate effectively and professionally with inmates, including lesbian, gay, bi-sexual, transgender, and intersex or gender-non conforming inmates  
How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

The facility use training developed by NIC. Staff must take the training and pass a quiz demonstrating they understand the information.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Employee training will be tailored to the gender of the inmates in the facility. The Lake County Jail detains both male and female inmates. Review of the training curriculum supports that staff are trained regarding both genders.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states The LCSACD staff, contractors, or volunteers, who have access to inmates, shall be provided training and/or education information on inmate-on-inmate sexual violence and staff sexual misconduct/harassment awareness commensurate with their level of contact with inmates. The training will be delivered through classroom training, brochures, handouts, inmate handbooks, videos, online forums or in educational workbooks upon hiring and on an annual basis.

The auditor received records that demonstrated that all current staff have received the training. At this time, the training is required yearly with the other in-service training topics. Training will take place every two years in addition to an annual refresher training.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The Accreditation and Training Divisions will maintain verification that all personnel that have contact with inmates, including security staff, contractors and volunteers, have completed the required PREA training and written documentation that they understood the training.

This facility uses training developed by the National Institute of Corrections (NIC). The auditor reviewed training documents that indicate a passing score, therefore demonstrating an understanding. Staff interviews all supported a sound knowledge of the requirements mandated the PREA.

Compliance based on the following:

Documentation - Policy, training curriculum, completed training certificates.

Interviews - Staff were knowledgeable regarding all aspects of the requirements of the training.

Observations - Overall observations during the audit support compliance with this standard.

## **Standard 115.32: Volunteer and contractor training**

### **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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states The LCSACD staff, contractors, or volunteers, who have access to inmates, shall be provided training and/or education information on inmate-on-inmate sexual violence and staff sexual misconduct/harassment awareness commensurate with their level of contact with inmates. The training will be delivered through classroom training, brochures, handouts, inmate handbooks, videos, online forums or in educational workbooks upon hiring and on an annual basis.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states Volunteer and Contractors Training Requirements: LCSACD zero-tolerance policy and procedures for prevention, detection, and response to sexual violence and staff sexual misconduct/harassment The responsibilities of volunteers and contractors under LCSACD policies and procedures, and how to report incidents of suspicion of sexual violence or staff sexual misconduct/harassment

(c) Documentation was maintained in the PREA Coordinators office supporting that volunteers and contractors have completed the required training and assessment quiz.

Documentation is maintained that contractors and volunteers have taken the NIC training, and understand the training and requirements they have been given.

Compliance based on the following:

Documentation - Review of completed questionnaires, review of cleared background checks, review of training certificates and signed statements noting that the volunteer understand the training and information they have received.

Interviews - No volunteers were available to be interviewed during the audit process.  
Observations - General observations.

## Standard 115.33: Inmate education

### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Upon intake, all inmates will receive information on the LCSACD zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. The LCSACD inmate handbook contains information regarding sexual assault/battery and staff sexual misconduct/harassment. This information will be provided during the inmate booking process. Inmates that participate in community based programs will be provided the Sexual Assault Awareness pamphlet during the initial intake process. The LCSACD inmate handbook and Sexual Assault Awareness pamphlet will include, but not be limited to . . . methods, self-protection and prevention techniques to reduce the likelihood of being victimized by sexual offenders

d. Procedures for reporting attempted sexual assault/battery or sexual/assault/battery by another inmate or staff sexual misconduct/harassment by staff to include:

- Reporting the attack to LCSACD or medical staff immediately
- Requesting to see command via an inmate request form
- Calling the Rape Crisis Hotline phone number that is posted in all holding and housing areas. Inmate can contact the hotline toll free from any inmate telephone.

Sanctions for the inmate who commits sexual assault/battery against another inmate(s)

Available support services, e.g., counseling, medical/mental services, etc. All treatment services for inmates as a result of sexual abuse will be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

During the classification interview, inmates are given the "Inmate PREA Indoctrination Form". The inmate reads and signs this form and is given the opportunity to ask any questions to the Classification Officer at this time. This form is then filed in the inmates' classification folder. This is also noted on their inmate identification card as a second reference.

(b) See comments to 115.33(a). This is one continuous process from the time of booking to formal classification. This process may take 1-2 days.

(c) This is no longer applicable as this is the second audit the facility has undertaken.

(d) Education is provided in Spanish, video/audio and is interpreted if necessary. During the audit, staff assisted with interpreting for two inmate interviews.

(e) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD will maintain the documentation of inmate participation in PREA education sessions. Randomly selected documentation for the first 10 inmates classified in June 2018 were requested and supported compliance with documentation requirements.

(f) Posters were visible throughout the facility notifying inmates of their right to be free of sexual abuse and harassment. Telephone numbers for Crime Stoppers and Zacharias Sexual Abuse Center (ZSAC) were visible on the phones.

Compliance based on the following:

Documentation - Review of policy, inmate handbook, signed indoctrination forms and inmate ID cards support compliance with the requirements and the process.

Interviews - Inmate interviews supported compliance with receiving education via a video and a chance to ask questions along with an informational paper.

Observations - Observation of the phone numbers on the phones during the audit.

## Standard 115.34: Specialized training: Investigations

### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states The LCSACD staff, contractors, or volunteers, who have access to inmates, shall be provided training and/or education information on inmate-on-inmate sexual violence and staff sexual misconduct/harassment awareness commensurate with their level of contact with inmates. . . . The Accreditation and Training Division will maintain documentation that investigators have completed the required specialized training in conducting sexual abuse investigations.

Investigators, in addition to training they receive from their division, also complete NIC investigator training. Documentation was provided showing completion of both trainings.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states Investigator Training Requirements: Techniques for interviewing/investigating victims of sexual abuse in confinement settings; Proper use of Miranda and Garrity warnings; Evidence collection in confinement settings; Criteria and evidence required to substantiate administrative action; Criteria and evidence required to refer criminal behavior for prosecution.

Review of the training curriculum supports compliance with these topics being specifically addressed. Investigators are very knowledgeable about the process involving union staff, nonunion staff, and potential criminal prosecution.

(c) The auditor reviewed and kept all copies of training certificates for all investigators (22 total) for both the NIC PREA training and the NIC PREA Investigator training.

(d) This is not applicable to this facility.

Compliance based on the following:

Documentation - Review of policy, training curriculum and completed certificates for all investigators of both PREA training and specific training for investigators authored by NIC. Review of the ten completed investigations from the previous twelve months.

Interviews - Interviews with three investigators confirm compliance.

Observations - General observations made during the audit process support compliance.

## Standard 115.35: Specialized training: Medical and mental health care

### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states Medical and Mental Health Staff Training Requirements:

- How to assess signs of sexual violence
- How to preserve physical evidence of sexual violence
- How to respond to victims of sexual violence
- How to report allegations and suspicions of sexual violence

Specialized training for medical and mental health staff was developed by NIC. Medical/mental health staff also complete the training provided to all staff.

(b) Medical staff on site do not conduct forensic examinations, they are sent out to a local hospital.

c) Documentation was provided to the auditor demonstrating that all medical staff, including dental and mental health, received the NIC PREA training provided to all staff as well as the NIC training specific to Medical staff.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states The LCSACD staff, contractors, or volunteers, who have access to inmates, shall be provided training and/or education information on inmate-on-inmate sexual violence and staff sexual misconduct/harassment awareness commensurate with their level of contact with inmates.

Compliance based on the following:

Documentation – Policy, Amor policy and completed certificates showing medical, mental health staff have received PREA training and PREA training specific to medical needs authored by NIC with either a passing score or signature noting they understand the information they received.

Interviews- Interview with medical and mental health staff supported compliance.

Observations- General observations made during the tour.

## SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

### Standard 115.41: Screening for risk of victimization and abusiveness

#### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, An initial assessment screening will be conducted as a part of the intake process to determine if the newly arrested inmate is at risk of sexual abuse victimization or risk of sexual abusiveness towards other inmates.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, This assessment will be conducted within 72 hours of the inmate's intake into the facility and include the following:

- Completion of an initial medical/mental health screening by intake staff
- Completion of the Addendum to Inmate Profile Data form by intake staff. If the inmate provides a "yes" response to any question on the form, the appropriate medical personnel shall be immediately notified for further assessment, treatment and/or counseling.
- Completion of a medical/mental health screening interview by medical personnel
- A review of available information indicating the potential for vulnerabilities or tendencies of acting out in a sexually aggressive manner, to include:
  - First time in custody
  - Size
  - Gang Affiliation
  - Age (including Youthful Offenders)
  - Demeanor (openly showing fear versus aggressiveness)

(c) The current risk assessment uses an objective screening instrument and addresses the following criteria: Severity of charges, severity of prior convictions (felony, misdemeanor and arrests), history of escape, gang activity, prior institutional disciplinary action, current offense, age, physical build, previous sexual assault while incarcerated, history of consensual sexual activity while incarcerated, mental, physical or impairment issues, previous incarcerations, prior history of sex offense - adult or child, prior history of sexual abuse, sexual orientation, criminal history exclusively non-violent, inmates perception of vulnerability. This form then further documents whether the inmate has seen the PREA video.

(d) For a couple years during the three year audit cycle, the facility was using a risk screen that was embedded in a larger risk assessment developed by company who specializes in developing tools for corrections management. It was determined it was not a good fit to the operations and they have returned to using a paper objective screening tool.

(e) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, During the classification interview process, the following criteria will be used to identify an inmate who has a history of sexual assault/abuse behavior and/or of being sexually victimized:

- Inmate's current charges, which may reflect sexual assault/abuse behavior
- Inmate history of sexual assault/abuse and/or has been a victim of sexual assault/abuse
- Self-reporting by the inmate that he/she is a victim of sexual assault/abuse

(f) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, An inmate will be reassessed for their risk of victimization or abusiveness within a set time frame, not to exceed 30 days after the inmate's arrival at the facility based upon any additional, relevant information received by the facility since the initial intake screening. A form/process is in place that would be used to address the receipt of any additional, relevant information within the first 30 days.

(g) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, An inmate's risk level will be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. A form/process is in place that would be used to address the reassessment 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.

(h) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states The LCSACD prohibits disciplining inmates for refusing to answer or for not disclosing complete information related to, the following questions:

- Whether the inmate has a mental, physical or developmental disability
- Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender non-conforming
- Whether the inmate has previously experienced sexual victimization
- The inmate's own perception of vulnerability

Approximately half of the inmates interviewed were questioned regarding whether they felt compelled to answer these questions. All responses supported that they were not in fear of discipline should they opt to not answer the question.

(i) The classification office is where records of inmate assessments are kept. Entry requires Central Control's approval. Only classification officers and supervisory personnel are permitted access unless a classification officer is present. Flow of information is controlled. This process of how information is controlled was confirmed by staff in supervisory rolls as well as four staff who either currently or previously performed classification duties.

Compliance based on the following:

Documentation - Policy, risk screen assessment and review of the randomly requested risk assessment from June 2018 all supported compliance.

Interviews - As stated, inmate interviews and classification staff interviews support compliance. Classification staff use this in addition to numerous other concerns to determine the best placement for the inmate while confined at this facility.

Observations - The auditor observed the classification board which provided readily identifiable information to classification staff about the inmate population.

## **Standard 115.42: Use of screening information**

### **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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states If it is determined that the inmate is at risk, the interviewing staff shall complete an Inmate Risk Assessment Form and ensure the inmate is under direct supervision of his/her safety and security as well as the safety and security of others. In addition, Jail Administration and the PREA Compliance Manager shall be notified via the chain of command if the inmate was a victim of, or committed sexual abuse in a confinement setting.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states The LCSACD will make an individualized determination about how to ensure the safety of each inmate. The alleged victim(s) and offender(s) may be reclassified into protective custody from the general population or placed into direct supervision housing.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states The LCSACD will make housing and program assignments for transgender or intersex inmates in the facility on a case-by-case basis.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice per year to review any threats to safety experienced by the inmate.

(e) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, A transgender or intersex inmate's own views with respect for their own safety shall be given serious consideration.

(f) All inmates shower individually in all units, except work release. In the event of a transgender/intersex inmates being housed, a memo would be generated to allow showers separate from the other population.

(g) This agency does not have a housing unit or wing dedicated to the placement of transgender, bisexual or homosexual inmates.

Compliance based on the following:

Documentation - Policy supports the requirement of the standard.

Interviews - Interviews with the classification staff, supervisory staff and inmates support a finding of compliance.

Observations - Overall observations of the audit process as well as the numerous separated housing areas support a finding of compliance.

## Standard 115.43: Protective Custody

### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states The LCSACD prohibits the placing of inmates at high risk for sexual victimization into 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.

(b) To date it has not had to place any inmates at risk for victimization in restrictive housing. The auditor found no reason to dispute this statement during the audit process.

(c) See comments above.

(d) See comments above.

(e) See comments above.

Compliance based on the following:

Documentation - Policy now reflects that the individual views are given strong consideration.

Interviews - Interviews with Chief of Corrections, Restrictive housing staff, inmates and PREA Coordinator supported that this was compliant; however, the auditor requested it be put in policy.

Observations - The facility offers numerous options including three separate housing areas located within medical where inmates can be housed in lieu of restrictive housing.

## REPORTING

### Standard 115.51: Inmate reporting

#### 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 Department 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*)

(a) Excerpts from the inmate handbook are as follows:

How to Report Sexual Abuse/Staff Sexual Misconduct:

For inmates inside the Lake County Jail, you are urged to report allegations of sexual abuse or sexual harassment. Offenders can report by submitting a request slip, a grievance, telling a trusted staff member/nurse or asking a family member or friend to call the report line.

If you have information regarding an inmate who has been sexually abused or sexually harassed while in the custody of Lake County Jail, please call: 847-555-1234 Crime Stoppers. You do not have to give your name, but it is critical that you provide as many details as possible. Please understand without detailed information it is difficult to investigate and/or prosecute a sexual abuse or sexual harassment claim.

This includes:

The name(s) and locations of persons involved

A brief description of the incident(s)

A brief description of where the event(s) occurred

The date(s) and time(s) of occurrence(s)

(optional) Your contact name, phone number and address

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD will provide at least one way for inmates to report abuse or harassment to a public or private entity that is not part of the agency. This is the Crime Stoppers number. The LCSACD will provide to inmates that are detained solely for civil immigration purposes be provided with information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.

Telephone records show that during the past 12 months four phone calls were made to Crime Stoppers from the inmate phones.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states When LCSACD staff, volunteers, or contractual staff become aware of a possible incident involving sexual assault/battery, discover a sexual assault/battery in progress, or observe physical evidence, he/she will immediately notify command. Staff can accept reports of sexual assault and sexual harassment made verbally, in writing, anonymously and from third parties.

(d) Staff can contact their union or call Crime Stoppers.

Compliance based on the following:

Documentation - Policy, inmate handbook, review of ten completed investigations which supported immediate staff reports and third party reports.

Interviews - All inmates and staff interviews supported compliance. Many inmates indicated they would be comfortable with telling a staff member at this facility and confident appropriate action would take place.

Observations - General observations made during the tour. A random inmate phone line was tested for the crime stoppers number and found to be functional. Callers leave a recording.

## Standard 115.52: Exhaustion of administrative remedies

### 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*)

The Lake County Sheriff's Office Adult Correctional Facility is exempt from this standard as the agency does not have administrative procedures to address inmate grievances regarding sexual abuse. Inmates may report an incident of sexual abuse on an inmate grievance form but in accordance with policy 2.10-002 Grievance System, grievances are not designed to be used to report or address incidents of an emergency or urgent nature.

Compliance based on the following:  
 Documentation - Statement of non-applicability.  
 Interviews - Chief of Corrections and PREA coordinator.  
 Observations - General observations.

### Standard 115.53: Inmate access to outside confidential support services

#### 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*)

(a) A pamphlet describing services provided by the ZSAC is provided to inmates. The address is provided on the brochure. The phone number was called by the auditor using an inmate phone. The phone instructions are located on the phone in English and Spanish. The service is provided in English and Spanish. A collect call option is used therefore bypassing a need for a PIN; the phone call is not monitored.

(b) See comments above.

(c) A Memorandum of Understanding has been signed with this organization to provide an inmate confidential hotline which is accessible when inmate phones are on. This agency has provided a video describing the role of ZSAC which is played at orientation. Confidentiality is established in accordance with state law which protects advocates from being compelled to talk about conversations. The MOU includes an agreement to provide qualified advocates to provide services, as defined by Illinois law (40 hr. minimum).

Compliance based on the following:

Documentation - MOU with ZSAC.

Interviews - Interview with the staff from ZSAC; most inmates knew of the service but acknowledged that since they did not feel they needed it, they did not pay attention to details about what was offered.

Observations - During the audit the auditor tested the phone number, observed the information posted on the phone in English and Spanish. Sufficient phones were observed in inmate occupied areas throughout the facility. They were spaced apart to afford some privacy. Although phone records reflect no phone calls have been made in the past 12 months, the auditor is confident that the information is appropriately communicated in orientation as well as posted on the phones. Inmate interviews reflected a vague awareness of the phone number with the caveat that they did not need the service so in essence didn't think about it.

## Standard 115.54: Third-party reporting

### 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*)

The Inmate handbook educates the inmate population that a family member or outside contact can file a complaint on their behalf. Website: [www.lakecountyil.gov/756/Prison-Rape-Elimination-Act-PREA-Complia](http://www.lakecountyil.gov/756/Prison-Rape-Elimination-Act-PREA-Complia) provides information to an outside party on how to file a PREA complaint.

Compliance based on the following:

Documentation - Inmate handbook; review of investigations - Two investigations reviewed demonstrated compliance as third party callers made the allegations which were immediately reported, referred to the investigators and investigated.

Interviews - Inmate interviews demonstrated knowledge that a person outside the facility can file a complaint on their behalf.

Observations - Review of the website.

## OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

### Standard 115.61: Staff and agency reporting duties

#### 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*)

PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The Lake County Sheriff's Office ensures that all allegations of sexual abuse or sexual harassment are referred to the Criminal Investigation Division (CID), who has the legal authority to conduct criminal investigations, for investigation unless the allegation does not involve potentially criminal behavior. Armor Correctional Health Services J-B-04 Procedure in the Event of Sexual Assault/PREA states, Allegations brought to the attention of medical staff will be reported immediately to the appropriate corrections investigators in order to effect a separation of the victim from his or her assailant in their housing assignments.

Compliance based on the following:

Documentation - Review of all investigations revealed immediate notifications to the shift supervisor and the investigator.

Interviews - Staff interviews demonstrated knowledge of and compliance with reporting suspicions, knowledge of sexual abuse or harassment, neglect or retaliation immediately and then to maintain confidentiality.

Observations - General observations during the audit process support compliance.

## Standard 115.62: Agency protection duties

### 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*)

PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, When the facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, immediate action will be taken to protect the inmate (i.e., it takes some action to assess appropriate protective measures without unreasonable delay). There have been no instances during the audit period where staff learned of imminent risk of sexual abuse. The auditor found no reason to dispute this fact during the audit process.

Compliance based on the following:

Documentation - Policy, review of investigations. Investigations supported that immediate action is taken when an allegation is received.

Interviews - Chief of Corrections, PREA Coordinator, supervisory staff, classification staff and first responders supported a finding of compliance.

Observations - General observations during the audit of the many options available to the facility in which to place an inmate to ensure safety.

## 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Any inmates that were confined in another facility and are transferred to the LCSACD and report an allegation of sexual abuse or sexual harassment while confined at another facility, the Chief of Corrections will notify the head of the other facility or appropriate office of the agency/facility where the sexual abuse is alleged to have occurred.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Such notification will be provided as soon as possible, but no later than 72 hours after receiving the allegation and it will be documented.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Such notification will be provided as soon as possible, but no later than 72 hours after receiving the allegation and it will be documented.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD will investigate all allegations that are received from another facility/agency.

The Lake County Sheriff's Adult Corrections Facility has not received any notifications from another facility of an inmate that was sexually abused at their facility. The Lake County Sheriff's Adult Corrections Facility has not received any notifications of an inmate that sexually abused while confined at another facility. The auditor found no reason to dispute this statement during the audit process.

Compliance based on the following:

Documentation - Policy, review of 10 completed investigations from the previous 12 months.

Interviews - Chief of Corrections, PREA Coordinator, investigators.

Observations - Overall observations made during the audit process.

## Standard 115.64: Staff first responder duties

### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Command will ensure that the following protocols are adhered to and a LCSACD Sexual Assault/Battery Allegations Checklist is completed:

- a. The alleged victim(s) will be immediately separated from the alleged abuser(s)
- b. The alleged victim(s) will be immediately escorted to a secure and non-hostile environment. To ensure the preservation of evidence, the victim(s) will be advised not to eat, drink, change, clothes, shower or use the restroom until he/she has been examined by qualified medical staff
- c. Lake County Sheriff's CID and designated staff will be notified
- d. The alleged offender(s) will be immediately escorted to a holding area that does not have bathroom facilities. They will remain in the holding area until trace evidence can be collected or clearance has been given by CID investigators
- e. The alleged victim(s) and inmate(s) will be separately escorted to medical for a medical assessment/treatment. Medical staff will complete a Health Services Incident Addendum to document that the alleged victim(s) and offender(s) were examined
- f. Upon completion of the medical assessment, the alleged victim(s) will be escorted to the Rape Treatment Center, if applicable
- g. The LCJ will 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.
- h. Inmate victims will be provided treatment services without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- i. Medical staff will refer the alleged victim(s) and offender(s) for mental health follow-up. This action will be documented on a supplemental incident report, utilizing the same control number of the original LCSO incident report.
- j. The crime scene will be secured, preserved and protected until appropriate steps can be taken to collect any evidence and given clearance by responding CID investigators, if applicable
- k. If the abuse occurred within a time frame that still allows for the collection of physical evidence, request that the alleged victim/abuser not take actions that could destroy physical evidence, including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, If the first responder is not a security staff member, that staff member will be required to request that the alleged victim not take any actions that could destroy physical evidence and immediately notify security staff.

Compliance based on the following:

Documentation - Policy, review of 10 completed investigations from the previous 12 months. Review of the coordinated plan noted above.

Interviews - Interviews with first responders and non-first responders who demonstrated knowledge of this process.

Observations - Overall observations made during the audit process.

## **Standard 115.65: Coordinated response**

### **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*)

115.65 PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states the following:

Response to Sexual Assault/Battery Allegations:

The Lake County Sheriff's Office ensures that all allegations of sexual abuse or sexual harassment are referred to the Criminal Investigation Division (CID), who has the legal authority to conduct criminal investigations, for investigation unless the allegation does not involve potentially criminal behavior. The agency will document all such referrals in a miscellaneous incident report.

When LCSACD staff, volunteers, or contractual staff become aware of a possible incident involving sexual assault/battery, discover a sexual assault/battery in progress, or observe physical evidence, he/she will immediately notify command. Staff can accept reports of sexual assault and sexual harassment made verbally, in writing, anonymously and from third parties. An administrative or criminal investigation will be completed for all allegations of sexual abuse and sexual harassment, including inmate-on-inmate sexual abuse or staff sexual misconduct. Command will ensure that the following protocols are adhered to and a LCSACD Sexual Assault/Battery Allegations Checklist is completed:

- a. The alleged victim(s) will be immediately separated from the alleged abuser(s)
- b. The alleged victim(s) will be immediately escorted to a secure and non-hostile environment. To ensure the preservation of evidence, the victim(s) will be advised not to eat, drink, change, clothes, shower or use the restroom until he/she has been examined by qualified medical staff
- c. Lake County Sheriff's CID and designated staff will be notified
- d. The alleged offender(s) will be immediately escorted to a holding not have bathroom facilities. They will remain in the holding area until trace evidence can be collected or clearance has been given by CID investigators
- e. The alleged victim(s) and inmate(s) will be separately escorted to medical for a medical assessment/treatment. Medical staff will complete a Health Services Incident Addendum to document that the alleged victim(s) and offender(s) were examined
- f. Upon completion of the medical assessment, the alleged victim(s) will be escorted to the Rape Treatment Center, if applicable
- g. The LCJ will 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.
- h. Inmate victims will be provided treatment services without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- i. Medical staff will refer the alleged victim(s) and offender(s) for mental health follow-up. This action will be documented on a supplemental incident report, utilizing the same control number of the original LCSO incident report
- j. The crime scene will be secured, preserved and protected until appropriate steps can be taken to collect any evidence and given clearance by responding CID investigators, if applicable
- k. If the abuse occurred within a time frame that still allows for the collection of physical evidence, request that the alleged victim not take actions that could destroy physical evidence, including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating

- l. The LCSACD imposes a standard of preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual assault or sexual harassment are substantiated
- m. If the first responder is not a security staff member, that staff member will be required to request that the alleged victim not take any actions that could destroy physical evidence and immediately notify security staff
- n. CID will be notified if the allegations involve inmate sexual assault/battery by staff. CID will refer such incidents to the State's Attorney's Office (SAO), if appropriate
- o. The PREA Coordinator will be notified
- p. A log of events and chain of custody involving suspected evidence will be maintained, if applicable
- q. A LCSO Incident Report will be generated and the following attached:
  - i. A copy of the Daily Inmate Population Report of the area where the alleged incident occurred
  - ii. A copy of the jail identification card(s) for the victim(s) and alleged offender(s)
  - iii. Investigative statement(s) of the inmate(s) present when the alleged incident occurred
  - iv. Witness statement(s) from staff, e.g., supplemental incident report
  - v. Copies of the pod log book for the date in question along with the physical/electronic rounds made in the housing unit
  - vi. Digital video recording (if available).

Compliance based on the following:

Documentation - Policy/plan noted above.

Interviews - Chief of Correction, supervisory staff and line staff.

Observations - Overall observations made during the audit process.

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

### 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*)

(a) Correctional sergeants and officers are represented by Teamsters Local Union No. 700. Review of the current Labor Agreements between Lake County Sheriff, Lake County Board and the unions

reflects there is nothing in current bargaining unit contracts will preclude any staff member from being charged criminally or terminated for an incident of sexual abuse/assault on an inmate.

(b) Allegations that are not substantiated do not become a part of the employee's personnel file.

Compliance based on the following:

Documentation - Policy, review of employee contracts, review of completed investigations.

Interviews - Chief of Corrections, PREA Coordinator, investigators.

Observations - Overall observations made during the audit process.

## Standard 115.67: Agency protection against retaliation

### 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 departments 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD will 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.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Items the agency should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews

or reassignments of staff. The PREA Coordinator and Administrative Lieutenant are tasked with monitoring for retaliation.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, For at least 90 days following a report of sexual abuse, the agency shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff and shall act promptly to remedy any such retaliation. Items the agency should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, In the case of inmates, such monitoring shall also include periodic status checks.

(e) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, If any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation.

Compliance based on the following:

Documentation - Policy with added revisions.

Interviews - Interviews with the PREA Coordinator who is responsible for retaliation monitoring supports compliance.

Observations - Overall observations of the audit process. During the course of the audit, no evidence of retaliation was revealed.

## Standard 115.68: Post-allegation protective custody

### 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*)

PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD prohibits the placing of inmates at high risk for sexual victimization into 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.

As noted, no one has been placed in restrictive housing. This facility has numerous options that preclude this from happening. These other options afford the inmate to continue to programming and services.

Compliance based on the following:

Documentation - Review of policy and investigations.

Interviews - Chief of Corrections, PREA Coordinator, restrictive housing staff, inmate and supervisor support compliance.

Observations - Observation of the physical plant and the man options provided to the facility other than restrictive housing.

## INVESTIGATIONS

### Standard 115.71: Criminal and administrative agency investigations

#### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, An administrative or criminal investigation will be completed for all allegations of sexual abuse and sexual harassment, including inmate-on-inmate sexual abuse or staff sexual misconduct. The Lake County Sheriff's Office ensures that all allegations of sexual abuse or sexual harassment are referred to the Criminal Investigation Division (CID), who has the legal authority to conduct criminal investigations, for investigation unless the allegation does not involve potentially criminal behavior.

(b) Please see comments to 115.34. All investigators have received both PREA training and PREA training specific to investigators.

(c) The Lake County Sheriff's Office Criminal Investigations Division has established a written PREA protocol which states, The reported crime scene will be processed by CID Evidence Technicians following established sexual assault investigative procedures.

(d) The Lake County Sheriff's Office Criminal Investigations Division has established a written PREA protocol states, Review the completed investigation with the Lake County States Attorney's Office for possible charges. Investigator interviews and review of investigations support that whenever evidence support possible prosecution, it is referred to the State's Attorney office.

(e) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff.

(f) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

(g) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

(h) The Lake County Sheriff's Office Criminal Investigations Division has established a written PREA protocol states, Review the completed investigation with the Lake County States Attorney's Office for possible charges. Investigator interviews and review of investigations support that whenever evidence support possible prosecution, it is referred to the State's Attorney office.

(i) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The agency shall retain all written reports referenced in part (e) and (f) of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

(j) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.

(k) This is not applicable to this facility as the agency conducts its own investigations.

(l) This is not applicable to this facility as the agency conducts its own investigations.

Compliance based on the following:

Documentation - Policy addresses all elements of the standard. Review of investigations support a finding of compliance. The auditor required that policy be more specific regarding the requirements; this has been updated as requested.

Interviews - Interviews with the investigators, Chief of Corrections and PREA Coordinator support a finding of compliance.

Observations - Observations made during the audit process. Again, as the facility has numerous options for housing, most investigations revealed that they moved inmates having problems which resolved the problem for the victim before the investigation was completed.

## Standard 115.72: Evidentiary standard for administrative investigations

### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD imposes a standard of preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual assault or sexual harassment are substantiated. Criminal investigations have to meet probable cause. Investigators indicate they follow a probable cause standard. Judgments are not made on cases, they are referred to the State's attorney for determination of the next action.

Compliance based on the following:

Documentation - Policy supports compliance. Review of the investigations from the previous 12 months support compliance.

Interviews - Interviews with the Chief of Corrections, PREA Coordinator, and investigators support compliance.

Observations - Overall observations of the audit process supports compliance.

## Standard 115.73: Reporting to inmates

### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Any inmate who makes an allegation that he or she suffered sexual abuse in the facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated or unfounded following an investigation.

(b) The agency does conduct its own investigations.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Following an inmate's allegation that a staff member has committed sexual abuse against an inmate, the LCSO will subsequently inform the inmate (unless it is determined that the allegation is unfounded) whenever:

- a. The staff member is no longer posted within the inmate's housing unit
- b. The staff member is no longer employed by the LCSO
- c. The LCSO learns that the staff member has been indicted on a charge related to sexual abuse within the facility
- d. The LCSO learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Following an inmate's allegation that he or she has been sexually abused by another inmate, the LCSACD will subsequently inform the inmate whenever:

- a. The LCSO learns that the alleged abuser has been indicted on a charge related to sexual abuse within the jail.
- b. The LCSO learns that the alleged abuser has been convicted on a charge related to sexual abuse within the jail.

(e) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, All such notifications or attempted notifications will be documented.

(f) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD obligation to report this will terminate if the inmate is released from custody.

Compliance based on the following:

Documentation - Policy supports compliance. Review of a notification supports compliance. In many cases, the inmate was released from custody before a notification was required.

Interviews - The PREA Coordinator interview supports compliance and he is the person responsible for ensuring the notification.

## DISCIPLINE

### Standard 115.76: Disciplinary sanctions for staff

#### 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)*

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Sexual acts or sexual contact between any Sheriff's Office employee and any detainee, even if the detainee consents, initiates or pursues, is always prohibited and illegal. There is no consensual sex in a custodial or supervisory relationship.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Termination will be the presumptive disciplinary sanction for staff that has engaged in sexual abuse.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) will be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, will be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

No staff have been disciplined regarding sexual abuse or harassment in the past 12 months. Based on review of investigations, interviews with inmates and staff, and observations made during the audit process, the audit found no reason to dispute this statement.

Compliance based on the following:

Documentation - Policy noted above.

Interviews - Chief of Corrections, Supervisors which supported compliance.

Observations - Overall observations during the audit process.

## **Standard 115.77: Corrective action for contractors and volunteers**

### **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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Any contractor or volunteer who engages in sexual abuse will be prohibited from contact with inmates and will be reported to law enforcement (CID) for investigation and to relevant licensing bodies unless the activity was clearly not criminal.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD will take appropriate remedial measure and will consider whether to prohibit further contact with inmates in the case of any other violation of our sexual abuse or sexual harassment policies by a contractor or volunteer.

No volunteers have been disciplined regarding sexual abuse or harassment in the past 12 months. Based on review of investigations, interviews with inmates and staff, and observations made during the audit process, the audit found no reason to dispute this statement.

Compliance based on the following:

Documentation - Policy above supports compliance. Volunteer training and handbooks reinforce the compliance of PREA standards.

Interviews - Chief of Corrections and PREA Coordinator interviews support compliance.

Observations - See comments above.

## Standard 115.78: Disciplinary sanctions for inmates

### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Inmates at the LCSACD will be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Sanctions will be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The disciplinary process will consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD does not offer therapy, counseling, or other interventions designed to address and/or correct underlying reasons or motivations for sexual abuse. The facility does not require the offending inmate to participate in any therapy,

counseling or interventions as a condition of access to programming or other benefits because we do not offer these interventions to inmates.

(e) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, An inmate will be disciplined for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

(f) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred will not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

(g) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD does not authorize, tolerate or condone any sexual activity between inmates. Any and all sexual activity between inmates is against our rules and policy and will be grounds for disciplinary action at a minimum. Criminal charges will be sought for any sexual activity deemed non-consensual or deemed to have been coerced.

Compliance based on the following:

Documentation - Policy quoted above.

Interviews - Inmates, staff, supervisors, medical staff support compliance.

Observations - Overall observations made during the audit process.

## MEDICAL AND MENTAL CARE

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

#### 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? (N/A if the facility is not a prison.)  
 Yes  No  NA

#### 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*)

(a) This is not applicable to this agency as it is a jail.

(b) This is not applicable to this agency as it is a jail.

(c) Armor Policy J-E-05 Mental Health Screening and Evaluation states, All inmates receive mental health screening; inmates with positive screens receive a mental health evaluation. Any inmate with a positive mental health screening for mental illness or developmental deficits receive an initial mental health evaluation within 24 hours for an urgent referral and 48-72 hours for a routine referral by a trained health care professional or mental health staff within 24 hours when criteria is met for an urgent referral and 48-72 hour for a routine referral. The initial mental health screening includes a structured interview with inquiries into: A history of: vi. Victimization.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, All case records associated with sexual assault/battery allegations, e.g., LSCO incident reports, investigative reports, case dispositions, offender/victim information, medical/mental health findings, counseling evaluation findings, and recommendations for post release treatment, etc., will be retained in accordance with the HIPPA of 1996 and legal requirements of the jurisdiction. In addition, LCSO staff with access to an inmate's medical records and information will adhere to the confidentiality requirements in order to maintain the privacy of the inmate.

(e) Armor Policy J-B-04 Procedure in the Event of Sexual Assault/PREA now states, 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.

Compliance based on the following:

Documentation - Policy and practice ensure that mental health evaluations occur as medical/mental health staff addresses this in their own intake interview.

Interviews - Mental and medical staff interview support compliance.

## Standard 115.82: Access to emergency medical and mental health services

### 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*)

(a) Armor Policy J-B-04 Procedure in the Event of Sexual Assault/PREA states, The medical and psychological trauma of sexual abuse is minimized as much as possible by prompt and appropriate health intervention. Victims of sexual abuse are referred to the Rape Crisis Center for treatment and gathering of evidence. The health care unit staff will notify the HCP, jail administration and PREA Compliance Manager of any allegations of sexual assault of patients. Emergency medical treatment and crisis intervention services will be provided in a timely manner. Alleged victims of sexual

assault shall be referred to the appropriate off-site facility or Rape Crisis Center for forensic medical examination performed by a qualified medical practitioner.

It further states, immediate medical care should be limited to emergency medical treatment and stabilization for any patient reporting sexual assault, and attention to psychological needs. Patients reporting assault occurring within 120 hours (5 days) will be sent, under the appropriate security provisions, to the Rape Crisis Center for treatment and gathering of forensic evidence. In all cases, the HCP shall be notified. The patient shall be instructed to not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, eating, or drinking.

(b) This facility provides medical coverage 24 hours a day/7 days a week.

(c) Armor Policy J-B-04 Procedure in the Event of Sexual Assault/PREA, Upon return to the facility, medical staff will ensure that continuity of care is established for addressing post-exposure prophylaxis to minimize the chance of HIV or hepatitis infection, medication to reduce the chance of contracting any other sexually transmitted disease, medication to prevent pregnancy such as the “morning-after” pill (females), and follow-up counseling and testing. . . . The morning after pill, if prescribed, shall be administered according to recommended schedules.

(d) Armor Policy J-B-04 Procedure in the Event of Sexual Assault/PREA states, Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

Compliance based on the following:

Documentation - Policy quoted above supports compliance.

Interviews - Interviews with the Chief of Corrections, medical staff and PREA Coordinator support compliance.

Observations - No instances occurred in the past 12 month that warranted an emergency trip to the hospital due to a PREA allegation. The auditor found no evidence to dispute this fact during the audit process.

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

### **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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCJ will 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.

(b) Armor Policy J-B-04 Procedure in the Event of Sexual Assault/PREA states, After the physical examination, there is an evaluation by a qualified mental health professional for crisis intervention counseling and long-term follow-up.

(c) Armor Policy J-B-04 Procedure in the Event of Sexual Assault/PREA states, Upon return from the Rape Crisis Center or designated facility, the patient will be considered for placement in the infirmary for medical and psychiatric observation. A report will be made to the facility administrator or designee to assure separation of the victim from his or her assailant. The patient will be seen by a Behavioral Health provider upon return to the facility, for crisis intervention counseling, supportive therapy and follow-up. Upon return to the facility, medical staff will ensure that continuity of care is established for addressing post-exposure prophylaxis to minimize the chance of HIV or hepatitis infection, medication to reduce the chance of contracting any other sexually transmitted disease, medication to prevent pregnancy such as the “morning-after” pill (females), and follow-up counseling and testing.

(d) Armor Policy J-B-04 Procedure in the Event of Sexual Assault/PREA states Upon return to the facility, medical staff will ensure that continuity of care is established for addressing post-exposure prophylaxis to minimize the chance of HIV or hepatitis infection, medication to reduce the chance of contracting any other sexually transmitted disease, medication to prevent pregnancy such as the “morning-after” pill (females), and follow-up counseling and testing. . . The morning after pill, if prescribed, shall be administered according to recommended schedules. Policy also now indicates that a pregnancy test shall be offered.

(e) Armor Policy J-B-04 Procedure in the Event of Sexual Assault/PREA states Upon return to the facility, medical staff will ensure that continuity of care is established for addressing post-exposure prophylaxis to minimize the chance of HIV or hepatitis infection, medication to reduce the chance of contracting any other sexually transmitted disease, medication to prevent pregnancy such as the “morning-after” pill (females), and follow-up counseling and testing. . . The morning after pill, if prescribed, shall be administered according to recommended schedules. Policy now states that “If pregnancy results victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.”

(f) Armor Policy J-B-04 Procedure in the Event of Sexual Assault/PREA states, Upon return to the facility, medical staff will ensure that continuity of care is established for addressing post-exposure prophylaxis to minimize the chance of HIV or hepatitis infection, medication to reduce the chance of contracting any other sexually transmitted disease, medication to prevent pregnancy such as the “morning-after” pill (females), and follow-up counseling and testing. . . The morning after pill, if prescribed, shall be administered according to recommended schedules.

(g) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, All treatment services for inmates as a result of sexual abuse will be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

(h) This standard does not apply to this facility as it is a jail, not a prison.

Compliance based on the following:

Documentation - Policy

Interviews - Interviews with the Chief of Corrections, medical staff and PREA Coordinator support compliance.

Observations - No instances occurred in the past 12 month that warranted follow up treatment from a hospital visit due to a PREA allegation. The auditor found no evidence to dispute this fact during the audit process.

## **DATA COLLECTION AND REVIEW**

## Standard 115.86: Sexual abuse incident reviews

### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The facility shall 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.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The PREA Coordinator will insure an incident review is ordinarily conducted within 30 days of the conclusion of every sexual abuse investigation, unless the allegation was unfounded.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The review team will include upper-level management officials, with input from line supervisors, investigators and medical or mental health practitioners.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The review team shall:

- a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- b. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
- c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- d. Assess the adequacy of staffing levels in that area during different shifts;
- e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
- f. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1)-(d)(5) of this section, and any recommendations for improvement and submit such report to the facility head and PREA compliance manager.

(e) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.

Compliance based on the following:

Documentation - policy, review of incident review meetings supported compliance with all the elements of the standard.

Interviews - PREA Coordinator and a lieutenant conduct the reviews. Medical and mental health staff and investigators are consulted when relevant.

Observations - Observations of the short term nature of confinement and how the facility addresses allegations quickly ensuring the safety of the inmate supports that incident reviews brief.

## **Standard 115.87: Data collection**

### **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 Department 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 Department 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The PREA coordinator will review data collected/aggregated in order to assess and improve reporting processes and data dissemination. The data collected will be accurate, uniform data for every allegation of sexual abuse from within the facility using a standardized instrument and set of definitions.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The LCSACD will ensure that the incident based and aggregate data are securely retained and only authorized staff will have access. The aggregate sexual abuse data collected from the facility will be made readily available to the public at least annually through the Lake County Sheriff's Office web site.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The investigative findings of all inmate-on-inmate sexual violence or staff sexual misconduct/harassment towards inmates will be reported to the BJS as follows:

- a. Substantiated - the incident was investigated and determined to have occurred
- b. Unsubstantiated - evidence was insufficient to make a final determination that the incident occurred
- c. Unfounded - the incident was determined not to have occurred
- d. On-going - the final determination has not yet been made as to whether the incident occurred

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, All case records associated with sexual assault/battery allegations, e.g., LSCO incident reports, investigative reports, case dispositions, offender/victim information, medical/mental health findings, counseling evaluation findings, and recommendations for post release treatment, etc., will be retained in accordance with the HIPPA of 1996 and legal requirements of the jurisdiction.

(e) This is not applicable to this facility as they do not contract with private facilities to hold their inmates.

(f) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The facility PREA Coordinator will forward statistical data to the PREA coordinator on a monthly basis for the data required to comply with the USDOJ/BJS. The DOJ did not request the report from the facility this past year.

Compliance based on the following:

Documentation - Policy supports that data will be maintained in an accurate, uniform manner.

Interviews - The PREA Coordinator maintains all the statistical information in a central location to ensure compliance and accuracy.

Observations - The report on the website gives an annual comparison of statistics.

## Standard 115.88: Data review for corrective action

### 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*)

(a) The PREA Coordinator's Annual report is located on the Sheriff's website at <http://www.lakecountyil.gov/sheriff/Pages/default.aspx>. Problems are potentially identified and corrective action is discussed.

(b) The 2017 report, located on the website, includes statistics from 2013 to 2017.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The aggregate sexual abuse data collected from the facility will be made readily available to the public at least annually through the Lake County Sheriff's Office web site. Policy could address that the report is approved by the Sheriff or Chief of Corrections

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Prior to placing sexual abuse data on the Lake County Sheriff's Office web site, all personal identifiers will be removed. The report did not require any redactions.

Compliance based on the following:

Documentation - Policy which supports compliance.

Interviews - The PREA Coordinator maintains the information.

Observations - Review of the information on the website.

### Standard 115.89: Data storage, publication, and destruction

#### 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*)

(a) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, 60. The LCSACD will ensure that the incident based and aggregate data are securely retained and only authorized staff will have access. The information is securely retained in the PREA Coordinator's office.

(b) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, The aggregate sexual abuse data collected from the facility will be made readily available to the public at least annually through the Lake County Sheriff's Office web site at <http://www.lakecountyil.gov/sheriff/Pages/default.aspx>.

(c) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, Prior to placing sexual abuse data on the Lake County Sheriff's Office web site, all personal identifiers will be removed. No personal identifiers are on the report.

(d) PRISON RAPE ELIMINATION ACT OF 2003 (PREA) states, All sexual abuse data collected will be retained for a period of 10 years after the initial collection. Data is available from 2013 to present.

Compliance based on the following:

Documentation - Policy which supports compliance.

Interviews - The PREA Coordinator maintains the information.

Observations - Review of the information on the website. There are no personal identifiers.

## AUDITING AND CORRECTIVE ACTION

### Standard 115.401: Frequency and scope of audits

#### 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*)

### Standard 115.403: Audit contents and findings

#### 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*)

## AUDITOR CERTIFICATION

I certify that:

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

### Auditor Instructions:

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

Amy J. Fairbanks  
Auditor Signature

October 22, 2018  
Date

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

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