

PREA Facility Audit Report: Final

Name of Facility: Missoula County Detention Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 07/28/2023

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
Auditor Full Name as Signed: Karen d. Murray	Date of Signature: 07/28/2023

Auditor Certification	
Auditor name:	Murray, Karen
Email:	kdmconsults1@gmail.com
Start Date of On-Site Audit:	06/26/2023
End Date of On-Site Audit:	06/27/2023

FACILITY INFORMATION	
Facility name:	Missoula County Detention Facility
Facility physical address:	2340 Mullan Road, Missoula, Montana - 59808
Facility mailing address:	

Primary Contact

Name:	Lorna Buckingham
Email Address:	lbuckingham@missoulacounty.us
Telephone Number:	4065315919

Warden/Jail Administrator/Sheriff/Director	
Name:	Captain Michael Hash
Email Address:	mhash@missoulacounty.us
Telephone Number:	406-258-4031

Facility PREA Compliance Manager	
Name:	
Email Address:	
Telephone Number:	

Facility Health Service Administrator On-site	
Name:	Lori Coleman (Wellpath)
Email Address:	lcoleman@wellpath.us
Telephone Number:	(970) 901-7659

Facility Characteristics	
Designed facility capacity:	368
Current population of facility:	333
Average daily population for the past 12 months:	335
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males

Age range of population:	18-no limit
Facility security levels/inmate custody levels:	Minimum to Maximum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	111
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	17
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	95

AGENCY INFORMATION

Name of agency:	Missoula County Sheriff's Department
Governing authority or parent agency (if applicable):	
Physical Address:	2340 Mullan Road, Missoula, Montana - 59808
Mailing Address:	2340 Mullan Road, Missoula, - 59808
Telephone number:	4062584000

Agency Chief Executive Officer Information:

Name:	Sheriff Jeremiah Petersen
Email Address:	jpetersen@missoulacounty.us
Telephone Number:	1-406-258-3303

Agency-Wide PREA Coordinator Information

Name:	Lorna Buckingham	Email Address:	lbuckingham@missoulacounty.us
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Facility AUDIT FINDINGS

Summary of Audit Findings

The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

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

Number of standards exceeded:

1

- 115.15 - Limits to cross-gender viewing and searches

Number of standards met:

44

Number of standards not met:

0

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2023-06-26
2. End date of the onsite portion of the audit:	2023-06-27

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	YWCA First Step

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	368
15. Average daily population for the past 12 months:	335
16. Number of inmate/resident/detainee housing units:	15
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit

Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	347
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	28
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	3
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	1
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	11

<p>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</p>	<p>5</p>
<p>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>No text provided.</p>
<p>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</p>	
<p>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</p>	<p>111</p>
<p>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>95</p>

<p>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>17</p>
<p>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</p>	<p>No text provided.</p>
<p>INTERVIEWS</p>	
<p>Inmate/Resident/Detainee Interviews</p>	
<p>Random Inmate/Resident/Detainee Interviews</p>	
<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>13</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<p> <input type="checkbox"/> Age <input type="checkbox"/> Race <input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None </p>
<p>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</p>	<p>Four days before the audit the facility provided inmate rosters to include targeted inmates. Once targeted inmates were chosen, random inmates were then chosen by housing unit and gender from each housing unit.</p>

56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	13
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	2
61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	1

<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>After a facility tour, informal and formal interviews with staff and inmates, and review of inmate files, this category of inmate did not appear to be in the facility during the onsite review.</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>4</p>

<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>After a facility tour, informal and formal interviews with staff and inmates, and review of inmate files, this category of inmate did not appear to be in the facility during the onsite review.</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>1</p>
<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>2</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>After a facility tour, informal and formal interviews with staff and inmates, and review of inmate files, this category of inmate did not appear to be in the facility during the onsite review.</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>No text provided.</p>
<p>Staff, Volunteer, and Contractor Interviews</p>	
<p>Random Staff Interviews</p>	
<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>12</p>
<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

<p>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>Of the 12 random staff interviewed, six were randomly chosen from each of the two shifts working during the onsite review.</p>
<p>Specialized Staff, Volunteers, and Contractor Interviews</p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>12</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>78. Were you able to interview the PREA Coordinator?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>79. Were you able to interview the PREA Compliance Manager?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)</p>

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

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

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

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

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

Yes

No

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

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

Yes

No

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

Yes

No

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

Yes

No

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

Yes

No

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

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

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

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	4	0	4	0
Staff-on-inmate sexual abuse	1	0	1	0
Total	5	0	5	0

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	4	0	4	0
Staff-on-inmate sexual harassment	1	0	1	0
Total	5	0	5	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	0	4	0
Staff-on-inmate sexual abuse	0	1	0	0
Total	0	1	4	0

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	2	3	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	2	3	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:	5
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<p>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p>Inmate-on-inmate sexual abuse investigation files</p>	
<p>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>4</p>
<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>1</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>

<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>5</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>5</p>
<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>

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

Non-certified Support Staff

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

Yes

No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

The audited facility or its parent agency

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

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

Other

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility Organization Chart, not dated 4. Missoula County Detention Facility Administration Chain of Command, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates

3. Detention Officers
4. Unit Manager
5. PREA Coordinator
6. Assistant Jail Commander
7. Under Sheriff

Interviews:

Through interviews with inmates and staff, review of inmate and staff files, it is evident that this facility interweaves requirements for this standard in their daily protocols. Both inmates and staff could speak to facility PREA practices and protocols being used as is described in the agency's PREA Policy and Procedures. The PREA Coordinator could attest to having the required time to institute and implement PREA protocols.

Inmate interviews demonstrated a high level of respect from jail personnel. Inmate interviews yielded the following comments:

- Feels safe, guards all very nice, not like other places; they go out of their way to do stuff for us.
- We have good guards - I want to help them and volunteer.
- A lot safer here than another county.
- I reported abuse at another facility and the PREA Coordinator provided me with advocate and resources here.
- They are superior in how they treat us, in every way, even when I'm sideways.
- We kited about athletics and got a new basketball the very next day.
- They treat us so well here - they are so respectful - is night and day from what I'm used to.
- There is a lot of trust with the guards.
- They have been very kind and polite and courteous staff.
- An LEP inmate stated she trusts staff and we don't have PREA issues at this facility.
- This Missoula Jail is probably the best about PREA, very professional.
- They keep a close eye on us and do a good job.

- Staff talks to us every week about PREA.

Staff and contractor interviews yielded the following comments.

- Administration is very open to change and the implementation of PREA.
- This facility is in my top two favorite.
- Inmates need to review PREA information on their tablets before they can access applications.

Site Observation

During the tour of the facility, the Auditor witnessed facility PREA Zero-Tolerance with internal and external reporting information for inmates and external advocate postings throughout the facility. PREA Audit Notices were posted in both English and Spanish on orange laminated paper, throughout the facility. During the tour the Auditor approached and informally interviewed inmates who could attest to knowing PREA, how to report and where to find reporting information. Inmates were able to demonstrate how they could access PREA information, report externally to hotline numbers and or the external advocate through their individual tablets, kiosk and inmate pod phones.

- (a) Missoula County Detention Facility PAQ states the agency policy mandates zero-tolerance toward all forms of sexual abuse and sexual harassment in the facility it operates and those directly under contract.

Missoula County Detention Center PREA Policy and Procedure – Adult Facility, page 3, section Policy, states, “The Missoula County Detention Facility has a zero-tolerance policy against all forms of sexual abuse and sexual harassment. MCDF prohibits all sexual activity between or with any inmate(s) under our care and supervision. No staff may work at the facility before completing PREA training. Personnel are exempt from completing prior PREA training when responding to an emergency.”

- (b) Missoula County Detention Facility PAQ states the agency employs or designates an upper-level, agency-wide PREA Coordinator. The PREA Coordinator has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities. The position of the PREA Coordinator in the agency's organizational structure.

	<p>Missoula County Detention Center PREA Policy and Procedure – Adult Facility, page 5, section</p> <p>PREA Standard 115.13- Supervision and Monitoring, first two paragraphs state, “MCDF will protect inmates against sexual abuse and sexual harassment by limiting the possibility that inmates and staff will be left alone and unmonitored through adequate and ongoing supervision. MCDF will ensure that the facility 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.</p> <p>The PREA Coordinator, along with the Facility Administration, will conduct an annual assessment to determine if staffing patterns, video monitoring systems, other technologies and resources are adequate to ensure the protection of inmates against sexual abuse and sexual harassment by limiting the possibility that inmates and staff will be left alone and unmonitored through adequate and ongoing supervision.</p> <p>The facility provided a Missoula County Detention Facility Organization Chart. The organizational chart demonstrates the PREA Coordinator reports directly to the Administrative Commander who reports directly to the Undersheriff.</p> <p>(c) Missoula County Detention Facility PAQ states this provision is not applicable as the facility does not have a PREA Manager.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.12	Contracting with other entities for the confinement of inmates
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Missoula County Detention Facility PAQ <p>Interviews:</p> <ol style="list-style-type: none"> PREA Coordinator

	<p>During the pre-audit phase, the PREA Coordinator stated the agency does not have privatized contracts for the care of their inmates.</p> <p>(a) The Missoula County Detention Facility PAQ states this standard is not applicable as the facility does not have contracts with private agencies for confinement services of their inmates.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility Staffing Plan, not dated 4. Missoula County Detention Facility Annual Review of Staffing Assignment and Video Monitoring, dated June 2023 5. Missoula County Sheriff’s Department Detention Shift Time Record, dated 3.1.2023 6. Missoula County Detention Facility Officer Activity Log (Unannounced Rounds), dated 5.22.2022 through 5.22.2023. <p>Interviews:</p> <ol style="list-style-type: none"> 1. Shift Supervisor 2. Assistant Jail Commander <p>The interview with the Shift Supervisor demonstrated he typically completes rounds once per shift, sometimes more often however he knows he could do better at documenting more often. The Shift Supervisor stated he does his rounds throughout the entire facility and does not announce when he is completing rounds.</p>

Site Observation

The Assistant Jail Commander demonstrated rounds are documented in the New World Jail Management System. Unannounced rounds reviewed electronically demonstrated multiple rounds were observed being documented on each shift, throughout the year.

(a) The Missoula County Detention Facility PAQ states the agency requires the facility to develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against abuse. The daily number of inmates, based on the facility website on August 20, 2021 is 333 with the capacity of 392 and the staffing plan was predicated on the same number of inmates as is shown on the facility website.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 5-6, section 115.13 Supervision and Monitoring, Policy, third paragraph states, “MCDF will maintain a staffing plan that provides for adequate levels of staffing to ensure for the protection of each inmate against sexual abuse and sexual harassment. When with an inmate, staff is to remain in an area that can be observed by another staff member directly or through video monitoring system. In situations where additional staffing is needed, the Supervisor will be notified, and additional staff will be made available.

When MCDF is calculating the appropriate staffing levels and determining the need for video monitoring, the following items shall be taken into consideration:

1. Generally accepted detention and correctional practices;
2. Any judicial findings of inadequacy;
3. Any findings of inadequacy from Federal investigative agencies;
4. Any findings of inadequacy from internal or external oversight bodies;
5. All components of the facility’s physical plant (including “blind-spots” or areas where staff or inmates may be isolated);
6. The composition of the inmate population;
7. The number and placement of supervisory staff;
8. Facility programs occurring on a particular shift;
9. Any applicable State or local laws, regulations, or standards;

10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and

11. Any other relevant factors.”

The facility provided a Missoula County Detention Facility Staffing Plan. The plan documents the following, annually.

- Adult Detention
 - o Shifts Staffing
 - o Transport
 - o Dayshift Staff
- Juvenile Detention
 - o Shift Staffing
- Facility Administration
- Deviation from the Staffing Plan
- Inmate Programming
- Facility Overview
- Programming
 - o Adult
 - o Juvenile

(b) The Missoula County Detention Facility PAQ states each time the staffing plan is not complied with, the facility does document and or justifies deviations. The PAQ states the facility does not deviate from the staffing plan. Common reasons for deviating from the staffing plan in the past 12 months were sick leave, vacation, comp time, personal leave, holiday and family medical leave.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 6, section 115.13 Supervision and Monitoring, section (b), states, “In circumstances where the staffing plan is not complied with, MCDF will document and justify all deviates from the plan.”

The facility provided documented staffing plan deviations on the Missoula County Sheriff's Department Detention Shift Time Record. The form documents the following information.

- Date / Shift / Days
- Primary Post / Badge # / Name / Shift Time-Begin and End / Hours Worked / Employee Signature
- Approved Absence Name / Paid Absence / Non-Paid Absence / Absence Code

(c) The Missoula County Detention Facility PAQ states at least once every year the facility/agency, in collaboration with the PREA coordinator, does review the staffing plan to whether adjustments are needed in (a) the staffing, (b) the deployment of monitoring technology, or (c) the allocation of agency/facility resources to commit to the staffing plan to ensure compliance with the staffing plan. This is the first year of PREA Compliance for this facility.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 6, section 115.13 Supervision and Monitoring, section (c), states, “Whenever necessary, but not less frequently than once each year, in consultation with the PREA Coordinator required by 115.11, MCDF will assess, determine, and document whether adjustments are needed to:

1. The staffing plan established.
2. The facility's deployment of video monitoring systems and other monitoring technologies;
3. The resources the facility has available to commit to ensure adherence to the staffing plan.

The facility provided an Annual Review of Staffing Assignment and Video Monitoring. The staffing plan includes the following information.

1. Generally accepted adult correctional practices
 - a. Montana Jail Standards
 - b. Youth Administrative Rules of Montana
2. Any judicial findings of inadequacy

3. Any findings of inadequacy from federal investigative bodies
4. Any findings of inadequacy from internal or external oversight bodies (i.e.- Continuous Quality Improvement (CQI) process, Quality Assurance (QA) audits.
5. All components of the program’s physical plant (including “blind spots” or areas where staff or residents may be isolated): (A map of the facilities 260 cameras and an attached listing was provided.)
 - a. Camera updates for years 2019 - 2023.
6. The composition of the resident population (i.e.-gender ratios, risk/need of residents, physical size, Sexual Aggressive Behavior (SAB), Vulnerability to Victimization (VV).
7. The number and placement of supervisory staff
 - a. Adult Detention
 - i. Shift Staffing
 - ii. Transport
 - iii. Dayshift Staff
 - iv. Unit Managers
 - b. Juvenile Detention
 - i. Shift Staffing
 - c. Facility Administration
 - d. Deviation from the Staffing Plan
8. Programs occurring on a particular shift
 - a. Adult
 - b. Juvenile
9. Any applicable State or local laws, regulations, or standards
10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse
11. Any other relevant factors
 - a. Adult Facility Housing Assignments
 - i. Unit 1 - Restricted Pods - Pods A-G
 - ii. Unit 2 - Pods 2A - 2F
 - iii. Unit 3 - Restrictive Housing - Pods A-F

(d) The Missoula County Detention Facility PAQ states facility requires that intermediate level or higher-level staff conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 6-7, section 115.13 Supervision and Monitoring, section (d), states, “MCDF has 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. Such policy and practice shall be implemented for night shifts as well as day shifts. MCDF will have a policy to prohibit 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.

1. Unannounced rounds will be conducted by a supervisor (or designee) at least once per week per shift.
2. All rounds will be random and unannounced.
3. Unannounced rounds will be completed on all shifts.
4. Unannounced rounds shall be completed in each housing unit and program/ common areas.
5. Staff are prohibited from alerting other staff members that the supervisory rounds are occurring, unless such an announcement is related to the legitimate operational functions of the facility.
6. Documentation of these rounds will be maintained in the JMS Correction Officer log.
7. Documentation/findings of these rounds will be sent quarterly to the PREA Coordinator.”

The facility provided Missoula County Detention Facility Officer Activity Log (Unannounced Rounds) for rounds supervisor unannounced rounds from 5.22.2022 through 5.22.2023. The logs document the following:

- Date/Time
- Activity (supervisor unannounced rounds)
- Pod/Block
- Officer ID
- Entered Time

	<ul style="list-style-type: none"> · Entry User · Remarks <p>Unannounced rounds demonstrate rounds are documented several times per day, per shift, throughout the entire facility.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Assistant Jail Commander <p>Interviews with the Assistant Jail Commander demonstrated the facility does not house youthful offenders.</p> <p>(a-c) The Missoula County Detention Facility PAQ states the facility prohibits placing youthful inmates in a housing unit in which a youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters. The facility has housing units to which youthful inmates are assigned that provide sight and sound separation between youthful and adult offenders in dayrooms, common areas, showers, and sleeping quarters. The facility does not house youthful inmates in the SAME HOUSING UNIT as adults. The PAQ states, “Unit 6 is the juvenile unit which will be audited as a separate facility. There is a sight and sound separation between youthful and adult offenders.”</p>

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 7, section 115.14 Youthful inmates, juveniles, and youthful detainees, a-b., states, “To protect youth who are under the age of 18 (“youthful inmates”) and living in adult correctional facilities from sexual abuse or sexual harassment they might experience from adults by:

- (a) Prohibits agencies from placing youthful inmates in housing units where they may have sight, sound, and physical contact with adult inmates
- (b) Limiting opportunities for youthful inmates to interact with adult inmates in unmonitored ways by requiring agencies to keep young people and adults “sight and sound” separated outside of housing areas or employer direct staff supervision in instances where youthful and adult inmates are co-mingles.

Additionally, the standard places restrictions on agencies from defaulting to the use of segregation units to protect youthful inmates from sexual abuse and sexual harassment, so that youthful inmates are not punished for their vulnerability.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 7, section 115.14 Youthful inmates, juveniles, and youthful detainees, Procedure, states, “The MCDF will not place inmates in housing units where they may have sight, sound, and physical contact with adult inmates. Youthful inmates will not interact with adult inmates and will have separate housing areas. Youthful inmates will not co-mingle with adult inmates. MCDF is a co-located facility, and any shared areas (such as vehicle sallyport and medical), utilize time-phasing so that adult and juvenile offenders are never in those spaces at the same time. “

Through such reviews, the facility meets the standard requirements.

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility Log of Cross-Gender viewing Exigent Circumstances, not dated 4. National PREA Resource Center Video on Guidance in Cross-Gender and

Transgender Pat Searches

5. New Hire Training Schedule, dated 5.2023

Interviews:

1. Random inmates
2. Targeted inmates
3. Detention Officers
4. PREA Coordinator

Interviews with inmates demonstrated each believed the search processes to be conducted respectfully and by the same sex staff.

Interviews with Detention Officers demonstrated each conducts same searches unless a transgender, intersex or a gender non-conforming inmate requests a different sex staff. Staff stated they conduct pat searches under a camera and would document all cross-gender searches.

Site Observation

1. Intake/Booking area
2. Search area

During the tour of the facility the Auditor observed the Booking Department. At the entrance, from the sallyport, intakes will proceed to the left for searches, and to the center area for DUI processing This area is under cameras and mirrored. The Booking Department has four holding cells, all with toilets behind half walls and or windows with black film to ensure privacy while toilets are in use. Cameras are in each holding cell and upon review of those cameras the Auditor observed a blurred out area, blocking view of inmates when using facilities. There are two booking stations, a body scanner, mug shot and fingerprint station all in one area. Of the holding cells, one is used for strip searches. Intake staff demonstrated how each would stand in the door jamb with the door open far enough to be seen by the camera and heard by audio during all strip searches.

(a) The Missoula County Detention Facility PAQ states the facility does not conduct cross-gender strip or cross-gender visual body cavity searches of their Inmates. In the past 12 months the facility has conducted zero cross-gender strip or cross-gender visual body cavity searches of Inmates.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 7-8, section Policy, states, “MCDF prohibits cross-gender strip, except in exigent circumstances. If required, the cross-gender strip search will be conducted by a trained staff member with a same gender witness in the room.

MCDF prohibits staff of the opposite gender to view inmates showering, changing clothes, or performing bodily functions except when such view is incidental during routine cell (bed) checks.

MCDF shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmates’ genital status. If an inmate’s genital status is unknown, it may be determined during conversation 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.

MCDF will 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.”

(b) Missoula County Detention Facility PAQ states the facility does not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. The number of pat-down searches of female inmates that were conducted by male staff has been zero. The number of pat-down searches of female inmates conducted by male staff that did not involve exigent circumstance(s) has been zero. Policy compliance can be found in provision (a) of this standard.

(c) Missoula County Detention Facility PAQ states the facility policy requires that all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches be documented and justified. The PAQ states, “No circumstances to date deviated from policy; attached is an example of an Exigent Circumstances Log that would be utilized in such cases.” Policy compliance can be found in provision (a) of this standard.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 8, section Procedure, first paragraph states, “If required in exigent circumstances, when a cross-gender strip search is conducted, it will be done by a trained staff member, with a same gender witness. It will be conducted in a private setting and documented

in the shared drive (S:)/Detention/PREA/Forms. MCDF will not conduct visual body cavity searches. If a warrant is obtained for the search, it will be completed by a trained professional. “

The facility provided a Missoula County Detention Facility Log of Cross-Gender viewing Exigent Circumstances. The log documents the following:

1. Date/Time
2. Inmate Name
3. Unit
4. Staff Name
5. Detail of Exigent Circumstance

(d) Missoula County Detention Facility PAQ states the facility has implemented policies and procedures that enable Inmates to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks (this includes viewing via video camera). Policy compliance can be found in provision (a) of this standard.

(e) The Missoula County Detention Facility PAQ states the facility has a policy prohibiting staff from searching or physically examining a transgender or intersex Inmate for the sole purpose of determining the inmate's genital status. Such searches did not occur in the past 12 months. Policy compliance can be found in provision (a) of this standard.

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

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 8, section Procedure, paragraphs 1-4, state, “If required in exigent circumstances, when a cross-gender strip search is conducted, it will be done by a trained staff member, with a same gender witness. It will be conducted in a private setting and documented in the shared drive (S:)/Detention/PREA/Forms. MCDF will not conduct visual body cavity searches. If a warrant is obtained for the search, it will be completed by a trained professional.

	<p>When staff are entering opposite sex housing units, they will announce their presence each time they enter the unit.</p> <p>6. MCDF will train staff on cross gender pat-down searches and searches of transgender and intersex inmates, in a professional and respectful manner, during the PREA training and document completion. Staff will be required to watch the National PREA Resource Center Video on Guidance in Cross-Gender and Transgender Pat Searches</p> <p>The facility provided a New Hire Training Schedule demonstrating Body Searches, Body Scanner and Pat Searches are trained during in-search training.</p> <p>The facility provided the following web link for a cross-gender pat-down search video: https://vimeo.com/18364668.</p> <p>Through such reviews of the facility never conducting cross-gender searches and providing options for inmates to request same sex staff the transgender, intersex and gender non-conforming inmate identifies with, the facility exceeds the standards requirements.</p>
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115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Language Line Services Agreement, dated 4.18.2022 4. Disabled and Special Needs Inmates Video

Interviews:

1. Targeted inmates
2. PREA Coordinator

Interviews with one physically disabled, one cognitive (letter received from the cognitive inmate) and one LEP inmate demonstrated the LEP was unaware of PREA and had not been educated in a language in which she understood. An interpreter was contacted through Language Line Services and PREA education was provided by the Auditor, through the interpreter. During file review it was observed that the LEP commented on PREA and the education she received, in English, therefore each disabled inmate interviewed understood and retained the PREA education each had been provided.

The PREA Coordinator provided the Auditor with Unit Rosters and a 2023 Population Characteristics spreadsheet demonstrating the facility had six physically disabled, three mental health, one limited English proficient inmates.

Site Observation:

During the tour an inmate was able to provide the Auditor with a tour of an inmate kiosk which provides access to PREA information an opportunity to send messages to facility staff.

During the onsite review the National PREA Resource Center Video in Cross-Gender and Transgender Pat Search video was reviewed. The video demonstrated the following learning objectives.

Solicit help before engaging:

- How to search wheel chair inmates;
- How to search special needs inmates to include: assessing mental health level, those with a mental and or emotional illness, mentally delayed, blind, phobias, psychiatric disorders, violent and or self destructive and those with medical issues.

Education:

- Assess or review collateral for intelligence quotient score/level and or sensory issues.
- Read to information to them.

- Explain protocol steps to ensure they understand what they are taught.
- Review information with the inmate to ensure each understands information introduced.

(a) The Missoula County Detention Facility PAQ states the agency has established procedures to provide disabled Inmates equal opportunities to be provided with and learn about the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 8-9, section 115.16, section Policy (a)-(c), state, "MCDF will take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the program's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

(a) When necessary to ensure effective communication with inmates who are deaf or hard of hearing, the program will provide access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, MCDF will 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, limited reading skills, or who are blind or have low vision.

Note: A program is not required to take actions that can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans with Disabilities Act, 28 CFR 35.164.

(b) MCDF will 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, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

(c) MCDF will 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.

During the pre-audit phase, the PREA Coordinator stated, "We use the current National PREA Resource Center training curriculum, which covers deaf inmates. We also use a training video covering Disabled and special needs inmates which is on DVD which can be reviewed during the onsite."

(b) The Missoula County Detention Facility PAQ states the agency has established procedures to provide inmates with limited English equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Policy compliance can be found in provision (a) of this standard.

(c) The Missoula County Detention Facility PAQ states the agency prohibits the use of inmate interpreters. In the last 12 months the facility has had zero instances where inmates were used for interpreters.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 9, section Procedure, states, "MCDF will ensure that inmates with disabilities and inmates who are limited English proficient have equal access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

MCDF contracts with Language Line Solutions for translation services to inmates who are not English proficient and for American Sign Language Translation.

The inmate education video, PREA: What You Need to Know will have closed captioning options for deaf inmates.

MCDF will 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-responder duties, or the investigation of the inmate's allegations.

	<p>MCDF will evaluate and document disabilities on intake via the Officer Observation questionnaire. When a disability is identified staff will notify the Unit Manager and/or the PREA Compliance Coordinator to ensure the correct accommodation for education of inmate's rights to be free from sexual abuse and/or sexual harassment are communicated in an appropriate manner. The Unit Manager will document efforts to include the inmate's needs and what accommodations were provided regarding inmate PREA education."</p> <p>The facility provided a Language Line Services Agreement. The agreement demonstrates the facility has an agreement for language services for their inmates.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Assistant Jail Commander <p>Interviews with the Assistant Jail Commander demonstrated criminal background checks and Child Registry checks, and institutional reference checks are completed during the background investigation processes. The Assistant Jail Commander stated the facility was moving to conducting background checks at the beginning of every audit cycle. The Assistant Jail Commander was able to provide the Missoula County Sheriff's Department Detention Policy and Procedure Manual, Policy No: 3-30, demonstrating page 2, section B. Scope of Investigations, a. The background investigation may include, but is not limited to the following: 14., states, "Institutional references to verify prior incidents of sexual abuse/sexual harassment." The Assistant Jail Commander also stated Administrative Adjudication questions are completed after the background investigation process, during the promotion process and annually thereafter.</p>

Site Review Observation:

By utilizing the PREA Audit – Juvenile Facilities Documentation Review Employee File/ Records template, 15 employee files reviewed demonstrated each had background checks upon hire and within five years, and completed Elder and Child Abuse Registry checks. The facility was able to demonstrate administrative adjudication questions had been asked during the hiring and promotion processes and institutional references were completed on all applicable employees.

(a) The Missoula County Detention Facility PAQ states the agency policy prohibits hiring or promoting anyone who may have contact with inmates, and prohibits enlisting the services of any contractor who may have contact with inmates who has engaged in or been convicted in or administratively adjudicated in sexual activity described in paragraph (a)(2) of this standard.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 9, section Policy (a) 1-3, states, “Prevent staff sexual misconduct by ensuring that individuals who have a prior history of being sexually abusive are not hired or contracted into positions where they may have contact with inmates.

(a) MCDF will not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who—

1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);
2. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
3. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.

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

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 9, section Policy (b), states, “MCDF will 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.”

(c) The Missoula County Detention Facility PAQ states agency policy requires background checks are conducted with all new hires who have contact with inmates and makes its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. In the past 12 months 21 persons hired may have contact with an inmate who have had criminal background checks.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 10, section Policy (c) 1-2, states, “Before hiring new employees, who may have contact with inmates, the MCDF will:

1. Perform a criminal background record check;
2. 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.”

(d) The Missoula County Detention Facility PAQ states the agency policy requires that a criminal background records check be completed before enlisting the services of any contractor who may have contact with inmates. In the past 12 months there were three contracts for services where criminal background record checks were conducted on all contractors covered in the contract who might have contact with inmates. The PAQ states, “Wellpath (Medical/Mental Health) (16 individuals) Partnership (Dentist) (2 individuals) Individual contract (Optometrist) (1 individual)”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 10, section Policy (d), states, “MCDF will also perform a criminal background records check, before enlisting the services of any contractor who may have contact with inmates.”

(e) The Missoula County Detention Facility PAQ states the agency requires background checks to be completed every five years.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 10, section Policy (e), states, “MCDF will either conduct criminal background records check at least every five years of current employees and contractors who may have contact with inmate or have in place a system for otherwise capturing such information for current employees.”

(f) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 10, section Policy (f), states, “MCDF will also 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 and in any interviews or written self-evaluations conducted as part of reviews of current employees. The MCDF will also impose upon employees a continuing affirmative duty to disclose any such misconduct.”

(g) The Missoula County Detention Facility PAQ states that agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 10, section Policy (g), states, “Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.”

(h) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 10, section Policy (h), states, “Unless prohibited by law, MCDF will 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.”

Through such reviews, the facility meets the standard requirements.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:

1. Missoula County Detention Facility PAQ
2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023
3. Missoula County Detention Facility Memorandum, RE: Camera Updates for the past 3 years, dated 3.10.2022

Interviews:

1. Under Sherriff

Interviews with the Under Sheriff demonstrated the facility has not acquired a new facility or made substantial expansions since the last PREA Audit. The Under Sheriff stated requests for additional cameras were responded to ensure there were no blind spots, ensuring inmates were not hurting each other, review to follow up on issues for clarity and cameras have the ability to audio record.

Site Review Observation:

Multiple cameras were witnessed throughout the facility. Cameras were reviewed in the Assistant Jail Commander’s Office and all were found to be operable. Holding cells with cameras were reviewed and a blurred area is present over toilets.

(a) The Missoula County Detention Facility PAQ states the facility has not acquired a new facility or made substantial expansions or modifications to existing facilities since the last PREA audit.

(b) The Missoula County Detention Facility PAQ states the facility has installed cameras in the last 12 months. The PAQ states, “As outlined in our Annual Review, we added several new cameras and video/audio monitoring to Unit classrooms and courtrooms.”

Through such reviews, the facility meets the standard requirements.

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Missoula County Detention Facility PAQ
2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023
3. Memorandum of Understanding between The Missoula County Detention Facility and First Step Resource Center at Providence St. Patrick Hospital, dated 3.17.2022
4. Memorandum of Understanding between Missoula County Detention Center and the YWCA, dated 4.5.2023
5. Qualified Staff Certificate of Training, PREA: Behavioral Health Care for Sexual Assault Victims in a Confinement Setting, dated 3.10.2023

Interviews:

1. Registered Nurse, Regional Director of Operations (contracted medical provider)
2. PREA Coordinator / Investigator

Interviews with Regional Director of Operations and the PREA Coordinator demonstrated the facility would contact the Sexual Abuse Nurse Examiner at the Third Step Facility where forensic exams and interviews would take place. The Regional Director of Operations stated there would be an immediate response, clothing would be removed to check them physically and medically for a SANE and youth are not allowed to shower or change until forensics come and provide instruction.

Site Review Observation:

There were zero sexual abuse allegations reported in the last 12 months that required a forensic exam and or interview.

(a) The Missoula County Detention Facility PAQ states the facility is responsible for conducting Administrative Investigations and the Missoula County Sheriff's Office, an entity of the facility, is responsible for conducting criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct. The PAQ states, Missoula County Sheriff's Office will be called to conduct criminal investigations of sexual abuse. MCDF is part of the MSCO agency."

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 11, section 115.21- Evidence protocol and forensic medical examinations,

section Policy (a), states, "The site PREA Compliance Coordinator will establish a written Memorandum of Understanding (MOU) with a medical facility that has Sexual Assault Forensic Examiners (SAFE) or Sexual Assault Nurse Examiners (SANE) personnel and with a Rape Crisis Center. MCDF programs will refer victims of sexual abuse to an agency that follows evidence protocols for forensic medical examinations.

(a) To the extent MCDF is responsible for investigating allegations of sexual abuse, the program shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions."

(b) The Missoula County Detention Facility PAQ states the protocol being developmentally is appropriate for youth.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 11, section 115.21- Evidence protocol and forensic medical examinations, section Policy (b), states, "The protocol to be used is the "The protocol to be used is the "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/ Adolescents."

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

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 11, section 115.21- Evidence protocol and forensic medical examinations, section Policy (c), states, "MCDF will offer all inmates who experience sexual abuse access to forensic medical examinations whether on-site or at an outside program, without financial cost, where evidentiary or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners informed on the protocols listed above. The MCDF will document its efforts to provide SAFEs or SANEs medical practitioners and place in the inmate's medical file."

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 11, section 115.21- Evidence protocol and forensic medical examinations, section (c)m states, “MCDF will offer all inmates who experience sexual abuse access to forensic medical examinations whether on-site or at an outside program, without financial cost, where evidentiary or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) when possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners informed on the protocols listed above. The MCDF will document its efforts to provide SAFEs or SANEs medical practitioners and place in the inmate’s medical file.”

The facility provided a Memorandum of Understanding between The Missoula County Detention Facility and First Step Resource Center at Providence St. Patrick Hospital. This memorandum demonstrates First Step Resource Center agrees to provide SANE/SAFE forensic medical evaluations for the Missoula County Detention Facility. This memorandum has no obvious expiration date and was signed by the Administrative Jail Commander and the First Step Clinical Supervisor.

On 5.30.2023, at 8:21 am, this Auditor contacted the First Step Resource Center at 900 N. Orange Street, Missoula, Montana, phone number 406.329.5776. The call rang into a voicemail loop with options to leave a message. Option 3 for the Examiners was chosen and a detailed message was left for the nurses with a request to call back and verify First Step Resource Center accepts Missoula County Detention Center inmates for SANE/SAFE exams. On 5.30.2023 at 11:47 am, the Clinical Supervisor returned the call and stated of course they are aware of the agreement with the Missoula County Detention Center and would treat any of their inmates. The Clinical Supervisor stated there is nothing special the jail would need to do in preparation of bringing their inmates as they always do a good job and the have a really good working relationship.”

(d) The Missoula County Detention Facility PAQ states the facility attempts to make a victim advocate from a rape crisis center available to the victim, in person or by other means. All efforts are documented. If a rape crisis center is not available to provide victim advocate services. The facility does employ qualified staff member to accompany victims.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 11, section 115.21- Evidence protocol and forensic medical examinations, section Policy (d), states, “MCDF will attempt to make available to the victim a victim advocate from a rape crisis center. If a rape crisis center is not available to provide victim advocate services, the program shall make available to provide these services

a qualified staff member from a community-based organization or a qualified program staff member. MDCF will document efforts to secure services from rape crisis centers.”

The facility provided a Memorandum of Understanding between Missoula County Detention Center and the YWCA. Page 1, second paragraph, states, “WHEREAS, Agency desires that Community Provider provide victim assistance and counseling services that are essential for Agency to comply with the Prison Rape Elimination Act (PREA).” The Memorandum of Understanding is signed and dated on 4.5.2023 by the MDCF Representative and the YWCA Representative.

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

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 11, section 115.21- Evidence protocol and forensic medical examinations, section Policy (e), states, “As requested by the victim, the victim advocate, qualified program staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.”

(f, g) The Missoula County Detention Facility PAQ states the agency is responsible for Administrative investigations. The PAQ states, “Missoula County Detention Facility is part of the Missoula County Sheriff's Office, who investigations criminal allegations of sexual abuse.”

(h) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 11, section 115.21- Evidence protocol and forensic medical examinations, section, Policy (h), states, “For the purposes of this standard, a qualified staff member or a qualified community- based staff member shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general.”

The facility provided a Qualified Staff Certificate of Training, PREA: Behavioral Health Care for Sexual Assault Victims in a Confinement Setting. The certificate

	<p>demonstrates the facility has a qualified staff member in the event a rape crisis center advocate is not available.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.22	Policies to ensure referrals of allegations for investigations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Detention Officers 2. RN, Regional Director of Operations (contracted medical provider) 3. PREA Coordinator / Investigator <p>Staff interviews demonstrated each would immediately report all allegations to their immediate supervisor, the PREA Coordinator or law enforcement and contact the medical department to make sure the victim was taken care of as soon as it was safe to do so.</p> <p>Site Observation</p> <p>In the past 12 months the facility has completed 22 administrative and two criminal investigations, each referred within five days of receipt of the allegation of sexual harassment or sexual abuse.</p> <p>(a-c) The Missoula County Detention Facility PAQ states the agency insures that an administrative or criminal investigations are completed for all allegations of sexual abuse and sexual harassment. In the past 12 months the facility has had 33 allegations of sexual abuse and sexual harassment that were received. In the past 12 months 31 allegations resulted in an administrative investigation. In the past 12</p>

months two investigations resulted in a criminal investigation.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 12, section 115.22- Policies to ensure referrals or allegations for investigations, section Policy (a)-(e), states, “MCDF will ensure that an administrative investigation is completed for all allegations of sexual abuse and sexual harassment.

(a) MCDF will ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

(b) MCDF will have in place a policy 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. MCDF will publish such policy on its website. MCDF will document all referrals.

(c) If a separate agency is responsible for conducting criminal investigations, such publication shall describe the responsibilities of both the agency and the investigating entity.

(d) Any State entity responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons and jails shall have in place a policy governing the conduct of such investigations.

(e) Any Department of Justice component responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails shall have in place a policy governing the conduct of such investigations.”

The facility has published their investigation policy on their website at <http://www.missoulacounty.us/government/public-safety/detention-facility>

(d) This standard is not applicable as the facility completes Administrative Investigations and the Missoula Sheriff’s Office is responsible for conducting Criminal Investigations.

Through such reviews, the facility meets the standard requirements.

115.31	Employee training
	Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Missoula County Detention Facility PAQ
2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023
3. National PREA Resource Center, Unit 1: The Prison Rape Elimination Act: Overview of the Law and Your Role PowerPoint, not dated
4. National PREA Resource Center, Unit 2: The Prison Rape Elimination Act: Inmates’ Rights to be Free from Sexual Abuse and Sexual Harassment and Staff and Inmates’ Rights to be Free from Retaliation for Reporting PowerPoint, not dated
5. National PREA Resource Center, Unit 3: The Prison Rape Elimination Act: Prevention and Detection of Sexual Abuse and Sexual Harassment PowerPoint, not dated
6. National PREA Resource Center, Unit 4: The Prison Rape Elimination Act: Professional Boundaries PowerPoint, not dated
7. National PREA Resource Center, Unit 5: The Prison Rape Elimination Act: Effective and Professional Communication with Inmates PowerPoint, not dated
8. Missoula County Detention Facility, Acknowledgement of Employee PREA Training, dated 6.6.2022

Interviews:

1. Detention Officers

Interviews with Detention Officers demonstrated each were aware of and received annual PREA refresher training through videos, policy review and in person training with the PREA Coordinator and the Lieutenant. When prompted, staff could speak to various information regarding separating youth, preserving persons, securing the scene until the police could arrive to collect evidence and notifying their Unit Manager or the supervisor on duty.

Site Observation:

By utilizing the PREA Audit – Adult Prisons & Jails Documentation Review Employee File/Records template of 15 personnel files demonstrated each had received initial and annual refresher training in the past two years.

(a) The Missoula County Detention Facility PAQ states the agency trains all employees who may have contact with Inmates in all required provisions of this standard.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 14, section Procedure, states, “MCDF will provide PREA training to all new employees within 6 weeks of hire and prior to any contact with inmates. Employees will be required to provide a signature or electronic verification that staff understand the training they have received. Documentation will be kept in employee files. All MCDF employees will receive an annual refresher training to ensure that staff can prevent, detect, and respond to sexual abuse and sexual harassment and to create a culture of sexual safety in the facility.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 13, section Policy a-j, states, “To ensure that staff can prevent, detect, and respond to sexual abuse and sexual harassment and to create a culture of sexual safety in the facility, all employees who may have contact with inmates shall be trained on:

- a) The zero-tolerance policy for sexual abuse and sexual harassment;
- b) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- c) Inmates’ right to be free from sexual abuse and sexual harassment;
- d) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- e) The dynamics of sexual abuse and sexual harassment in confinement;
- f) The common reactions of sexual abuse and sexual harassment victims;
- g) How to detect and respond to signs of threatened and actual sexual abuse;
- h) How to avoid inappropriate relationships with inmates;
- i) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- j) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

The facility provided the following training PowerPoint presentations:

National PREA Resource Center, Unit 1: The Prison Rape Elimination Act: Overview of the Law and Your Role PowerPoint. This curriculum includes the following:

- Unit 1: The Prison Rape Elimination Act: Overview of the Law and Your Role
- Unit 2: Inmates’ Rights to be Free from Sexual Abuse and Sexual Harassment and Staff and Inmate Rights to be Free from Retaliation for Reporting
- Unit 3 Part I: Prevention and Detection

- Unit 3 Part II: Response and Reporting
- Unit 4: Professional Boundaries
- Unit 5: Effective and Professional Communication

National PREA Resource Center, Unit 2: The Prison Rape Elimination Act: Inmates' Rights to be Free from Sexual Abuse and Sexual Harassment and Staff and Inmates' Rights to be Free from Retaliation for Reporting PowerPoint. This curriculum includes the following:

- Understand agency policy and PREA requirements related to inmates' right to be free from sexual abuse and sexual harassment
- Understand agency policy and PREA requirements related to staff and inmates' right to be free from retaliation for reporting
- Discuss the role of retaliation in contributing to a code of silence

National PREA Resource Center, Unit 3: The Prison Rape Elimination Act: Prevention and Detection of Sexual Abuse and Sexual Harassment PowerPoint. This training curriculum includes the following:

- Understand the dynamics of sexual abuse and sexual harassment in confinement settings
- Learn how to detect signs of threatened and actual sexual abuse by understanding common reactions of victims of sexual abuse and sexual harassment and common behaviors of abusers
- Apply learning objectives 1 and 2 to fulfill your responsibility under agency sexual abuse and sexual harassment prevention and detection policies and procedures

National PREA Resource Center, Unit 4: The Prison Rape Elimination Act: Professional Boundaries PowerPoint. This training curriculum includes the following:

- Reasons why relationships may occur in confinement settings between staff and inmates
- Identify inappropriate behaviors

National PREA Resource Center, Unit 5: The Prison Rape Elimination Act: Effective and Professional Communication with Inmates PowerPoint. This training curriculum includes the following:

- Define appropriate terminology to use when communicating with the Lesbian, Gay, Bi-Sexual, Transgender and Intersex (LGBTI) population
- Conduct professional communication with inmates, including LGBTI inmates
- Review and understand any relevant agency policy specific to LGBTI inmates

(b) The Missoula County Detention Facility PAQ states training is tailored to the unique needs and attributes and gender of inmates at the facility.

(During the pre-audit phase, the PREA Coordinator stated the Pre-Audit Questionnaire (PAQ) should have stated yes, as the facility houses both female and male residents. The language in this provision has been changed to “is tailored”, based on new information.)

(c) The Missoula County Detention Facility PAQ states between trainings the agency provides employees who may have contact with inmates with refresher information about current policies regarding sexual abuse and sexual harassment. The frequency with which employees who may have contact with inmates receive refresher training on PREA requirements is every two years. The PAQ states, “Staff will receive refresher training every two years to ensure staff can prevent, detect, and respond to sexual abuse and sexual harassment and to create a culture of sexual safety in the facility.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 13, section Policy, second paragraph, states, “MCDF will provide each employee with refresher training annually to ensure that all employees know the agency’s current sexual abuse and sexual harassment policies and procedures. In years in which an employee does not receive refresher training, MCDF will provide refresher information on current sexual abuse and sexual harassment policies.”

(d) The Missoula County Detention Facility PAQ states the agency documents that employees who may have contact with inmates, understand the training they have received through employee signature or electronic verification.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 13, section Policy, third paragraph, states, “MCDF will document, through employee signature or electronic verification, that employees understand the training they have received.”

	<p>The facility provided a Missoula County Detention Facility, Acknowledgement of Employee PREA Training. Employees affirm the following training through this acknowledgement:</p> <p>I acknowledge that I have been trained on the following PREA Standards to prevent, detect, and respond to sexual abuse and sexual harassment.</p> <ol style="list-style-type: none"> 1. The zero-tolerance policy for sexual abuse and sexual harassment. 2. How to fulfill my responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. 3. Inmates' right to be free from sexual abuse and sexual harassment. 4. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment. 5. The dynamics of sexual abuse and sexual harassment in confinement. 6. The common reactions of sexual abuse and sexual harassment victims. 7. How to detect and respond to signs of threatened and actual sexual abuse. 8. How to avoid inappropriate relationships with inmates. 9. How to communicate effectively and professionally with inmates, including lesbian, gay, bi-sexual, transgender, intersex, or gender nonconforming inmates; and 10. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. <p>Through such reviews, the facility meets the standard requirements.</p>
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115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility,

dated 4.2023

3. Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors, dated 4.1.2022

4. Missoula County Detention Facility PREA Brochure for Interns, Volunteers, and Contractors, not dated

Interviews:

1. Yoga Instructor (volunteer)

2. RN, Regional Operations Director (medical/mental health contractor)

Medical and mental health and education contractors reported having initial and annual training that is given to all staff, both through their employers and the facility. Training received was based on the services each provides. Each could speak to reporting PREA allegations and or information to any officer, Child Protective Services and their employer.

Site Observation:

Review of contractor files demonstrated each had PREA training by their employers and the facility training personnel.

(a) The Missoula County Detention Facility PAQ states all volunteers and contractors who have contact with Inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and harassment prevention, detection, and response.

The number of volunteers and contractors, who may have contact with inmates, who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response is 95.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 14, section 115.32- Volunteer and contractor training, Procedure, states, "MCDF will require all volunteers and contractors complete a "Read and Sign" explaining the facilities zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents. Documentation will be filed on site and volunteer and contractors will receive a copy of the PREA Brochure for Interns, Volunteers, and Contractors to take with them. PREA Compliance Coordinator will be available to answer questions regarding the zero-tolerance policy.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 14, section 115.32- Volunteer and contractor training, Policy (a), states, “All volunteers and contractors who have contact with inmates will be trained on their responsibilities under MCDF’s sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

(a) 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, but all volunteers and contractors who have contact with inmates shall be notified of the program’s zero- tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.”

The facility provided a Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors. This curriculum includes the following:

- Mission Statement
- Overview
- Purpose
- What are the primary objectives of the Prison Rape Elimination Act (PREA)?
- What are the procedures for reporting incidents and/or allegations of prison rape?
- Reporting Incidents/Allegations
- Volunteer / Contractor PREA Information
 - o Descriptions
 - o Sexual Abuse
 - o Sexual Harassment
 - o How to Report (including Third Party Reporting form and agency website, facility contact information and PREA Hotline)
- Training Affidavit to include volunteer and or contractor printed name, date, signature and work location.

The facility provided a Missoula County Detention Facility PREA Brochure for Interns, Volunteers, and Contractors. This brochure includes the following:

- o Purpose

	<ul style="list-style-type: none"> o What is PREA o How to Report o Definitions o Did you know? o Mission Statement <p>(b) The Missoula County Detention Facility PAQ states all volunteers and contractors who have contact with Inmates have been notified of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.</p> <p>Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 14, section 115.32- Volunteer and contractor training, Policy (b), states, “MCDF will maintain documentation confirming that volunteers and contractors understand the training they have received.”</p> <p>(c) The Missoula County Detention Facility PAQ states the agency maintains documentation confirming that the volunteers and contractors understand the training they have received. Procedure compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility – Sexual Assault and Staff Misconduct Brochure, not dated

4. Missoula County Detention Facility Acknowledgment of Inmate Education, dated 4.2022
5. Zero Tolerance for Sexual Abuse and Sexual Harassment Posting, not dated
6. Missoula County Detention Facility Inmate Information and Rule Book, dated 2022
7. Onsite Review: Intake Staff Training Documentation, dated 6.8.2023
8. Post Audit: Missoula County Detention Facility Memorandum, Subject: 115.33, dated 7.12.2023
9. Post Audit: PREA Standard 115.33 – Risk Assessment and 72-Hour Education Monitoring Form, not dated

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Intake staff
4. PREA Coordinator

Interviews with inmates demonstrated they had received information on the agency zero tolerance policy and reporting information, during the booking process through receipt of a PREA pamphlet and staff making them aware of PREA postings throughout the facility. Inmates articulated their knowledge of PREA, reporting options to staff, writing a grievance, telling a friend, notifying a family member, using tablets, kiosks and or having access to hotline numbers posted on Zero-tolerance Posters throughout the facility.

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Inmate File / Records Review template demonstrated 21 of 24 inmates received PREA education 72 hours of intake to include orientation and comprehensive education. A recommendation was provided for the facility to have the PREA Coordinator check all inmate records to ensure compliance is sustained before uploading records to the New World Jail Management System. The PREA Coordinator agreed this would be sustained.

During the onsite review the Auditor observed an intake staff providing an inmate with intake PREA education. Observation demonstrated each required component of

the provision requirements were not provided to the inmate.

Action Plan:

- Retrain intake personnel to ensure education elements are provided to inmates.
- Provide documented training to intake personnel (provided during the onsite review)
- Assistant Jail Commander to write memorandum providing a sustainable action plan to ensure intake training is conducted as described in the provision of this standard. (who will do what, when for ongoing quality assurance.)
- Upload memorandum to the supplemental files

Post audit the facility provided a Missoula County Detention Facility Memorandum, Subject: 115.33 - Inmate 72-HR Education, stating, "In accordance with PREA standard, 115.33, Missoula County Detention Facility will ensure that inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment on intake. Officers will deliver the information in a language and media that ensures the inmate understands their rights, our zero-tolerance policy, and how to report. Officers will note any accommodations provided on forms documenting the education. Further, Officers will emphasize the following for each inmate and allow the inmate to ask questions prior to signing forms acknowledging the delivery of the information.

Inmate Rights:

- It is an inmate's right to be free from sexual abuse or sexual harassment.

MCDF has a zero-tolerance policy. Officers will emphasize these 4 points:

- Staff will investigate every single report of sexual abuse or harassment.
- Inmates will not be punished for reports made in good faith.
- Both inmates and staff who report sexual abuse and sexual harassment will be protected from retaliation. • Sexual abuse is never the victim's fault.

Reporting

- Inmates can tell any staff member.
- Inmates can have a friend or family member make a third-party report on their behalf.

- Inmates can file a grievance.
- Inmates can call the PREA hotline number.
- Inmates can request to speak with the PREA coordinator.

Officers who conduct intake assessments and 72-hour education have been trained to this standard and their signed acknowledgement is attached to this memo.

The Chief Detention Officer, Assistant Commander, or Detention Captain will observe the assessment and education process, as conducted by the classification Officers and/or Unit Managers, at least quarterly, and shall document the compliance with this standard. Officers conducting the assessment and education process shall acknowledge the requirements of the standard, annually, as a specialized component of their PREA training.”

Post audit the facility provided a PREA Standard 115.33 – Risk Assessment and 72-Hour Education Monitoring form. The form appears to be a check off list for those delivering education to inmates of the following:

- Officer delivered the information in a language and media that ensures the inmate understands their rights, our zero-tolerance policy, and how to report.
- Officers noted any accommodations provided on forms documenting the education.
- Officers emphasized the following for each inmate and allow the inmate to ask questions prior to signing forms acknowledging the delivery of the information.

Inmate Rights

MCDF has a zero-tolerance policy. Officer’s will emphasize the following:

- Staff will investigate every single report of sexual abuse or harassment.
- Inmates will not be punished for reports made in good faith.
- Both inmates and staff who report sexual abuse and sexual harassment will be protected from retaliation.
- Sexual abuse is never the victim’s fault.

Reporting

- Staff will investigate every single report of sexual abuse or harassment.
- Inmates will not be punished for reports made in good faith.
- Both inmates and staff who report sexual abuse and sexual harassment will be protected from retaliation.
- Sexual abuse is never the victim's fault.

(a) The Missoula County Detention Facility PAQ states inmates receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. 4144 inmates admitted in the past 12 months were given information at intake.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 5, section Procedure, states, "MCDF will provide inmates the Sexual Assault and Staff Sexual Misconduct brochure at intake which will explain the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. Within 30 days of intake, inmates will be required to watch the PREA: What You Need to Know video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents. During the orientation process, staff will answer questions from inmates and review how to report sexual assault.

MCDF will ensure information is readily available or visible to inmates through posters, brochures, and the inmate handbook. Posters will be visible in each unit and the visiting area. Each inmate will also receive a digital copy of the inmate handbook which will provide reporting information. There will be a Spanish version posted with the English version. The PREA video will be closed captioned and available in Spanish. If an inmate speaks a language other than English or Spanish, staff will utilize the Language Line for translation which will also offer American Sign Language translation as needed. For inmates who have limited reading skills, staff will review the brochure and reporting information 1:1 to ensure the inmate understands the information."

The facility provided a Missoula County Detention Facility - Missoula County Detention Facility - Sexual Assault and Staff Misconduct Brochure. The brochure provided the following information.

- Sexual assault and staff sexual misconduct are against the law.
- MCDF is committed to your safety and the safety of staff.

- MCDF has ZERO TOLERANCE for sexual assault.
- What is sexual assault
- Examples of sexual assault
- How to prevent sexual assault
- What to do if you've been sexually assault
- PREA Hotline at 1.406.258.3668
- YWCA provides survivors of sexual abuse with emotional support services - to include YWCA address and phone number.
- How to report sexual assault and your options

(b) The Missoula County Detention Facility PAQ states within the past 12 months, 830 inmates received age appropriate PREA education within 30 days of intake. The PAQ states, "Inmates receive an educational PREA brochure upon intake and subsequently are required to view the PREA: What You Need To Know video with the PREA Coordinator within 30 days of their intake."

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 14, section Policy (a), states, "MCDF shall provide inmates information on how to prevent sexual abuse and sexual harassment as well as encourage reporting through teaching inmates about their right to be free from sexual abuse and sexual harassment, educating them about the ways they can report it, and making sure they understand what will happen if there is an incident of sexual abuse or sexual harassment, including what services are available to victims. Inmate education can build their trust in staff and the facility's commitment to safety, which may increase reporting and ultimately deter sexual abuse and sexual harassment.

(a) During the intake process, inmates shall receive information explaining MCDF's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment."

(c) The Missoula County Detention Facility PAQ states of those who were not educated during 30 days of intake, all inmates have been educated subsequently.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 14, section Policy (b), states, "Within 30 days of intake, MCDF will provide comprehensive education to inmates either in person or through video regarding their

rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.”

(d) The Missoula County Detention Facility PAQ states Inmate PREA education is available in accessible formats for all inmates including those who are limited English proficient, deaf, visually impaired, otherwise disabled or have limited reading skills.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 15, section Policy (c), states, “MCDF will provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.”

(e) The Missoula County Detention Facility PAQ states the facility maintains documentation of inmate participation in PREA education sessions.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 15, section Policy (d), states, “MCDF will maintain documentation of inmate participation in these education sessions.”

The facility provided a Missoula County Detention Facility Acknowledgment of Inmate Education. This acknowledgment documents the following:

- I have received a copy of the Sexual Assault and Staff Sexual Misconduct brochure.
- I understand the zero-tolerance policy regarding sexual abuse, sexual misconduct, and sexual harassment.
- I received information on how to report directly to MCDF or to the PREA hotline AND how to contact a rape crisis center advocate.
- I understand my right to be free of retaliation for reporting. I had the opportunity to ask questions, and any questions were answered to my full understanding.

The acknowledgment requires the inmate printed name, signature, date and staff witness name and date. If the inmate refuses to sign a second staff name and date is

required.

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

The facility provided a Missoula County Detention Facility Inmate Information and Rule Book. Page 15, section 510. Prison Rape Elimination Act (PREA), states, "Established in 2003 with a final rule in 2012, PREA is a federal law established to address the elimination and prevention of sexual assault and sexual harassment within correctional and detention facilities. MCDF maintains a zero-tolerance policy for all sexual activity between or with any inmate(s) under our care and supervision. This includes inmate-on-inmate, and any of the following acts, with or without consent of the inmate by a staff member, contractor, or volunteer." The handbook also includes definitions, rights, reporting information to include the PREA Hotline, verbally reporting to staff, third party reporting options and advocate address and phone number information.

The facility provided a Zero Tolerance for Sexual Abuse and Sexual Harassment Posting. This posting includes the following:

Right to Report

If you, or someone you know, are experiencing sexual abuse or sexual harassment, Missoula County Detention Facility wants to know. We want you to report right away! Why?

- We want to keep YOU safe; it is our job! It is your right to be free from sexual abuse and sexual harassment.
- We want to conduct an investigation of the reported incident.
- We want to hold the perpetrator accountable for his/her actions.
- We want to provide YOU with relevant information and support services.

How to Report

The Missoula County Detention Facility offers multiple ways to report sexual abuse and sexual harassment. Reports can be made verbally, in writing, anonymously, and via a third party. Below are the methods available to report.

- Call an outside entity PREA Hotline to report by dialing 406-258-3668.
- Report to any staff member, volunteer or contractor, including medical and mental health care staff.
- Submit a grievance or an inmate request.
- Report to the facility's PREA Compliance Coordinator.
- Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf through a third-party grievance to prea@missoulacounty.us. The third-party reporting form can be found on the website at <https://www.missoulacounty.us/government/public-safety/detention-facility/prison-rape-elimination-act>
- You also can submit a report on someone's behalf, or someone at the facility can report for you using the methods listed above.

Victim Support Services

Missoula County Detention Facility has partnered with the YWCA to provide survivors of sexual abuse with emotional support services. To access these services, contact 1-800-483-7858 or send a letter to: YWCA 1800 S 3rd St W, Missoula, MT 59801.

*Refer to the Inmate Information and Rule Book for more information on anonymous reporting and limits to confidentiality for emotional support services.

On 5.30.2023 at 9:14 am, the Auditor contacted the PREA Hotline at 406.258.3668. A message began stating, "You reached a confidential voicemail for the PREA Hotline. Please leave your name and the inmate you are reporting for. The Auditor left a detailed message explaining the reason for the call and further information on next steps, once this entity receives a report of sexual harassment or sexual abuse. On 5.30.2023 at 11.24 am, the PREA Coordinator returned the call stating the facility would first separate inmates and staff. Next the facility would attempt to preserve evidence by locking down the alleged crime scene and preserving any evidence in the area and or on persons. The facility would immediately offer medical and mental health services to include a SANE or SAFE exam. The point person would be responsible for all internal and external reports who would not allow any staff that may be involved in the investigation. The facility would then begin the investigation process.

Through such reviews the facility meets the standard requirements.

115.34 Specialized training: Investigations

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Missoula County Detention Facility PAQ
2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023
3. PREA Administrative Investigations for County Jails Curriculum, dated 1.20.2023
4. 10 Certificates of Completion, PREA: Investigating Sexual Abuse in a Confinement Setting

Interviews and on site file review:

1. PREA Coordinator / Investigator

The interview with the PREA Coordinator demonstrated she had completed specialized training for investigators and training mandated by §115.31. The investigator could articulate training included investigative protocols, interviewing of all victims, aggressors and witnesses, report writing to include a summary of interviews an assessment of credibility statements.

Site Observation:

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

(a-b) The Missoula County Detention Facility PAQ states the agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 16, section Procedure, states, “All criminal allegations of sexual abuse will be referred to the Missoula County Sheriff’s Office for investigation. MCDF will require specialized training be completed by investigators who will be conducting investigations of abuse in a confinement setting. Training will include NIC PREA: Investigating Sexual Abuse in a Confinement Setting which will cover Investigative Standards, Investigations, Working with Victims, Interviewing Techniques, and Institutional Culture and

Investigations. MCDF will maintain documentation that investigators have completed the required specialized training. MCDF will utilize a PREA Investigation check list to ensure policy and procedures are being followed.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 15-16, section Policy (a-b), states, “To ensure that every allegation of sexual abuse in a correctional facility is thoroughly and appropriately investigated by a highly skilled, qualified investigator who has been trained to investigate sexual abuse allegations in confinement settings, all sexual abuse investigators shall be required to complete specialized training.

(a) In addition to the general training provided to all employees pursuant to PREA Standard 115.31, MCDF shall ensure that, to the extent the agency itself conducts sexual abuse administrative investigations, its investigators have received training in conducting such investigations in confinement settings.

(b) Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement setting, and the criteria and evidence required to substantiate a case for administrative action or law enforcement referral.”

The facility provided a PREA Administrative Investigations for County Jails Curriculum. Learning objectives include the following.

- Investigative Protocols and PREA Policy
- Definition related to Sexual Abuse and Harassment (PREA 115.6)
- Review PREA Standards
- Brady, Garrity, Miranda
- Interviewing and Questioning
- Investigative Steps
- Report Writing
- Writing the Final PREA Summary Reports

(c) The Missoula County Detention Facility PAQ states the agency shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. The PAQ states employees and the agency has 10 employees who have completed investigator training. The PAQ states,

	<p>“five administrative investigators and five criminal investigators.”</p> <p>Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 16, section Policy (c-d), state,</p> <p>(a) MCDF will maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.</p> <p>(b) Any State entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations.</p> <p>The facility provided 10 Certificates of Completion, PREA: Investigating Sexual Abuse in a Confinement Setting. These certificates demonstrate Investigator Training was completed through the National Institute of Corrections for five investigators 4.1.2022, 4.5.2022, 5.17.2022, and 7.25.2022. Five investigators completed training through the Montana Department of Corrections on 1.25.2023.</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.35	Specialized training: Medical and mental health care
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Wellpath – Prison Rape Elimination Act Training (PREA), not dated 4. 13 Wellpath Academy Certificates of Completion Prison Rape Elimination Act Training <p>Interviews:</p> <ol style="list-style-type: none"> 1. RN, Regional Operations Director

2. PREA Coordinator

The interview with the Regional Operations Director demonstrated she completed initial and annual training that is given to all staff, both through their employers and the facility. Training received was based on how to detect, preservation, respond and report allegations of sexual harassment and sexual abuse.

The interview with the PREA Coordinator demonstrated medical and mental health staff would complete specialized training each year.

Site Observation:

During the pre-audit phase, specialized training records were uploaded to the online audit system.

(a) The Missoula County Detention Facility PAQ states the agency has a policy related to the training of medical and mental health practitioners who work regularly in its facilities. The facility has 16 (100%) contractors who work at the facility have received training required by agency policy.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 16-17, section Procedure, states, “MCDF is contracted with First Step Providence to provide forensic medical examinations by a SANE (Sexual Assault Nurse Examiner) and as such on site medical staff will not conduct forensic examinations. Medical and Mental Health care staff will complete specialized training on PREA standards and procedures to include: How to detect and assess signs of sexual abuse and sexual harassment; How to preserve physical evidence of sexual abuse; How to respond effectively and professionally to juvenile victims of sexual abuse and sexual harassment; and How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. Medical and Mental Health care staff will be required to complete the Wellpath- PREA training prior to contact with inmates. Documentation of completion for each employee and the training curriculum are provided to MCDF PREA Compliance Coordinator.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 16, section Policy 1-4, states, “MCDF will ensure that all full and part-time medical and mental health care practitioners who work regularly in facilities will receive specialized training in:

- (1) How to detect and assess signs of sexual abuse and sexual harassment;
- (2) How to preserve physical evidence of sexual abuse;
- (3) How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
- (4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.”

The facility provided Wellpath – Prison Rape Elimination Act Training (PREA). This curriculum includes the following:

- Description
- Learning Objectives
 - o Explain the zero tolerance policy.
 - o Describe how health care staff can maintain professional relationships with inmates that do not violate any PREA standards or facility policy.
 - o Identify characteristics which make an inmate more vulnerable to sexual abuse or harassment.
 - o Identify examples of "red flags" which may indicate an inmate has been the victim of sexual abuse or harassment.
 - o Describe the proper way for health care staff to preserve evidence of sexual abuse.
 - o Provide examples of the security and custody requirements for all facilities as described in the PREA standards.

The curriculum includes a knowledge check test and results for each of the above areas.

(b) The Missoula County Detention Facility PAQ states their medical staff do not conduct forensic medical exams.

(c) The Missoula County Detention Facility PAQ states the agency maintains documentation showing that medical and mental health practitioners have completed the required training.

	<p>16, section Policy (a-b), states,</p> <p>(a) MCDF will maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere.</p> <p>(b) Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.31 or for contractors and volunteers under § 115.32, depending upon the practitioner’s status at the agency.</p> <p>The facility provided 13 Wellpath Certificates of Completion Prison Rape Elimination Act Training for 15 contractors. Certificates are dated 8.2021 through 6.3.2023.</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility Prison Rape Elimination Act (PREA) Inmate Rights Form, dated 6.2.2022 4. PREA Risk Assessment, not dated 5. Post Audit: Missoula County Detention Facility Memorandum, Subject: 115.41, dated 7.12.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates

3. Classification Corporal

4. PREA Coordinator

Interviews with inmates demonstrated most remembered being asked risk screening questions to include past criminal history, past violence including sexual perpetration or prior sexual victimization, sexual orientation and if they thought they were at risk of being sexually victimized while at the facility. Of those inmates who stated they had not been asked or didn't remember being asked risk screening questions, file review demonstrated 72-hour and 30-day risk assessments demonstrated one inmate refused.

Interviews with the Classification Corporal demonstrated that risk assessments are completed within 72 hours of intake. The Classification Corporal stated he assesses age, physical stature, non-violent and violent crimes, disabilities, if the inmate considers his/herself to be vulnerable, and reviews collateral information when available.

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Inmate File / Records Review template, 21 of 24 offender risk screenings were completed outside of the required 72-hour time frame and five of 21 of 24 offender reassessments were completed outside of the 30-day requirement. Review also demonstrated 21 of 24 risk assessments were either not scored or completed in full.

Recommendation:

- Assistant Jail Commander to write a memorandum providing a sustainable action to ensure risk assessments are completed as described in the provision of this standard. (who will do what, when for ongoing quality assurance.)
- Upload the memorandum to the supplemental files.

Post audit the facility provided a Missoula County Detention Facility Memorandum, Subject: 115.41 Screening for Risk of Victimization and Abusiveness, stating, "The classification officers will conduct intake screening within 72 hours of arrival at the facility. (The standard reads- "Intake screening shall ordinarily take place within 72 hours of arrival at the facility.)

In the absence of a classification officer, a designated Unit Manager will conduct the

intake screening within the 72-hour timeframe.

If staff are unsuccessful in conducting the intake screening instrument within 72 hours of intake, they will document the reason for not conducting the intake screening in the inmate's activity log and notify the PREA Coordinator for appropriate follow-up.

The PREA Coordinator will conduct all PREA reassessment screenings within 30 days of intake. In the absence of the PREA Coordinator, a designated Unit Manager will conduct the reassessment screening within the 30-day timeframe.

If staff are unsuccessful in conducting the reassessment screenings within the maximum 30-day timeframe, they will document the reason for not conducting the reassessment screening in the inmate's activity log.

Further, the facility's PREA Coordinator will collect and input all inmate documentation to ensure each document has been appropriately completed and scored. If staff are unable to complete and/or score an inmate's intake screening, they shall document such reason for noncompliance."

(a) The Missoula County Detention Facility PAQ states the facility has a policy that requires screening, upon admission or transfer, for risk of sexual abuse victimization or sexual abusiveness toward other Inmates.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 18, section 115.41-Obtaining information from inmates, Procedure, states, "MCDF provide each inmate with the Prison Rape Elimination Act (PREA) Inmate Rights Form and have it signed by inmate to ensure they fully understand the statement. Following acknowledgement of the Rights Form, a risk assessment will be completed by staff. The risk assessment will include all inmate information described in policy. Information will be confidential and only the scored designation will be available to all staff. The PREA Compliance Coordinator will receive information on all inmates who score as high risk for sexual victimization and for sexual abusiveness. Risk assessment will be completed within 72 hours of intake and reassessments will be completed within 30 days of arrival. Inmates who report an allegation of sexual abuse at MCDF will receive a reassessment following the reported allegations to update the inmate's risk level."

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 17-18, section 115.41-Obtaining information from inmates, Policy (a), states, “MCDF will ensure that the facility has identified those at heightened risk of being sexually victimized and those at heightened risk of being sexually abusive so that it can make housing and programming decisions with the goal being to use information to prevent sexual abuse.

(a) All inmates shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.

(b) The intake screening shall ordinarily take place within 72 hours of arrival at the facility.

(c) Such assessments shall be conducted using an objective screening instrument.

(d) The intake screening shall 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;

(2) The age of the inmate;

(3) The physical build of the inmate;

(4) Whether the inmate has previously been incarcerated;

(5) Whether the inmate’s criminal history is exclusively nonviolent;

(6) Whether the inmate has prior convictions for sex offenses against an adult or child;

(7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;

(8) Whether the inmate has previously experienced sexual victimization;

(9) The inmate’s own perception of vulnerability; and

(10) Whether the inmate is detained solely for civil immigration purposes.”

(b) The Missoula County Detention Facility PAQ states the number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 72 hours or more) who were screened for risk of sexual victimization or risk of sexually abusing other inmates with 72 hours of their entry into the facility was 2173. Policy compliance can be found in provision (a) of this standard.

(c) The Missoula County Detention Facility PAQ states the facility conducts risk assessments by using an objective screening instrument.

The facility provided a Risk Assessment. The Assessment includes the following:

Possible Victim Factors:

1. Victim of sexual assault in an institutional setting*
2. Experienced prior sexual victimization in community*
3. Youthful age (24 or younger in adult facility)
4. Elderly (65 or older)
5. Small physical stature (Male: 5'2" or less and/or 120 lbs. or less; Female: 5'0" or less and/or 95 lbs. or less)
6. Developmental disability/mental disability/physical disability
7. First time being incarcerated
8. Lesbian/gay/bisexual/transgender/intersex/gender non-conforming (admitted or perceived)
9. Offender has current or prior convictions for sex offenses against a child or adult
10. The inmate's criminal history is exclusive non-violent
11. Does the inmate consider themselves vulnerable?

Possible Aggressor Factors:

1. Previously perpetrated sexual abuse in an institutional setting*

2. Prior acts of sexual abuse in community*
3. Current or prior adjudication or convictions for violent offenses
4. History of prior institutional violence

*If answer is "Yes" to questions #1 or #2 in Victim or Aggressor sections - must offer inmate a referral to Mental Health Services Department

*Does the inmate wish to speak with mental health regarding these events?

Victim Designation Process:

If "Yes" to item #1, enter inmate as a "Known Victim"

If "Yes" to three or more items other than item #1, enter inmate as a "Potential Victim"

Otherwise, designate inmate as a "Non-Victim"

Aggressor Designation Process:

If "Yes" to item #1, enter inmate as a "Known Aggressor"

If "Yes" to two or more items other than item #1, enter inmate as a "Potential Aggressor"

Otherwise, designate inmate as a "Non-Aggressor"

(d) The Missoula County Detention Facility PAQ states the policy requires that the facility reassess each inmate's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening. The number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 30 days or more) who were reassessed for their risk of sexual victimization or of being sexually abusive with 30 days after their arrival at the facility based upon any additional relevant information received since intake was 469.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 17, section 115.41-Obtaining information from inmates, Policy (d) 1-10, states, "The

intake screening shall 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;
2. The age of the inmate;
3. The physical build of the inmate;
4. Whether the inmate has previously been incarcerated;
5. Whether the inmate's criminal history is exclusively nonviolent;
6. Whether the inmate has prior convictions for sex offenses against an adult or child;
7. Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
8. Whether the inmate has previously experienced sexual victimization;
9. The inmate's own perception of vulnerability; and
10. Whether the inmate is detained solely for civil immigration purposes."

(e-f) The Missoula County Detention Facility PAQ states the policy requires that the facility reassess each inmate's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening. The number of inmates entering the facility (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 30 days or more and who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake was 830.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 178 section 115.41-Obtaining information from inmates, Policy (e-f) state,

(e) "The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing inmates for risk of being sexually abusive. The intake screening shall consider, at a minimum, the following criteria to assess inmates for risk of sexual aggression:

- (1) Whether the inmate has perpetrated sexual abuse in an institutional setting;
- (2) Whether the inmate had prior acts of sexual abuse in the community;
- (3) Whether the inmate has current or prior adjudication or convictions for violent offenses;
- (4) Whether the inmate has a history of prior institutional violence.

(f) Within a set time period, not to exceed 30 days from the inmate's arrival at the facility, the facility will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening."

(g) The Missoula County Detention Facility PAQ states the policy requires that an inmate's risk level be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 18, section 115.41-Obtaining information from inmates, Policy (g) states, "An inmate's risk level shall 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."

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

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 18, section 115.41-Obtaining information from inmates, Policy (h) states, "Inmates may not be 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."

The facility provided a Missoula County Detention Facility Prison Rape Elimination Act (PREA) Inmate Rights Form. This form states the following to inmates. “The Missoula County Detention Facility has ZERO TOLERANCE for sexual abuse and sexual harassment. You have the right to be free from sexual abuse and sexual harassment, as well as from retaliation for reporting such incidents while you are here. You will be provided with information regarding our agency’s ZERO TOLERANCE policy and reporting procedures. We are asking the following questions to keep you sexually safe while in the Missoula County Detection Facility.

We are required to ask you a series of questions. Please understand that we are not forcing you to answer these questions, but we must ask each question individually. If you chose not to answer a particular question, we will not hold it against you in any way. If you choose to answer the question, it is important that you answer truthfully.

If you fully understand this statement, please sign and date.”

(i) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 18, section 115.41-Obtaining information from inmates, Policy (i) states, “MCDF will implement 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.”

Through such reviews the facility meets the standard requirements.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Victim/Aggressor Tracking Sheet

Interviews:

1. Targeted Inmates
2. Random Inmates
3. PREA Coordinator
4. Assistant Jail Commander
5. Captain

Interviews with targeted inmates demonstrated care and concern regarding their safety is addressed. Four gay inmates were interviewed, and each stated their housing units were of a mix of a good group of inmates and feel comfortable with their placement in the facility.

The interview with the PREA Coordinator and the Assistant Jail Commander demonstrated the facility keeps track of inmates by way of a victim/aggressor tracking sheet which tracks housing placements for victims and aggressors demonstrated each are housed separately from one another.

The interview with the Captain demonstrated victims and aggressors are never housed in the same cells or on the same tier. Tiers are let out of their cells at separate times to ensure ongoing separation.

(a) The Missoula County Detention Facility PAQ states the facility uses information from the risk screening required by §115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 18, section 115.42- Placement of inmates in housing, bed, program, education, and work assignments, Procedure, states, “MCDF will use the information from the risk screening to place inmates in appropriate housing assignments, job assignments and program assignments to reduce risk of sexual victimization. If an inmate is identified as transgender or intersex, he/she will be offered a separate time to shower when other inmates are locked down or do not have access to the shower. A transgender or intersex inmate’s own view with respect to his or her own safety shall be given serious consideration. Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year. MCDF will utilize the Transgender/Intersex Housing Determination Form for placement. MCDF Administrative staff will review any special circumstances with inmates on a

weekly basis during the Inmate Managing Plan Meeting.”

The facility provided a Victim/Aggressor Tracking Sheet. The Tracking Sheet documents the following information.

- Booking date
- Cell
- Facility
- Pod
- Name
- Adult/Juvenile
- Aggressor / Victim
- Date Assessed

(b) The Missoula County Detention Facility PAQ states the agency/facility makes individualized determinations about how to ensure the safety of each inmate.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 19, section 115.42- Placement of inmates in housing, bed, program, education, and work assignments, Policy (a), states, “MCDF shall use all information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

(a) MCDF will make individualized determinations about how to ensure the safety of each inmate.”

(c-f) The Missoula County Detention Facility PAQ states the agency/facility makes housing and program assignments for transgender, or intersex inmates in the facility on a case-by-case bases.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 19, section 115.42- Placement of inmates in housing, bed, program, education, and work assignments, Policy (b)-(f), state,

(b) “In deciding whether to assign a transgender or intersex inmate to a facility for

	<p>male or female inmates, and in making other housing and programming assignments, MCDF shall consider on a case-by-case basis whether a placement would ensure the inmate’s health and safety, and whether the placement would present management or security problems.</p> <p>(c) Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.</p> <p>(d) A transgender or intersex inmate’s own view with respect to his or her own safety shall be given serious consideration.</p> <p>(e) Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.</p> <p>(f) MCDF will not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.”</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Unit Manager <p>The interview with the Unit Manager demonstrated education, treatment programming would continue for any inmate in protective custody. Depending in the schedule and volunteer programs would depend on availability of those options. Inmates would be evaluated weekly. Documentation of weekly meetings with inmates on the status of housing would be documented on the inmate management plan, for</p>

all inmates, not just those who were placed in protective custody for PREA related reasons.

(a) The Missoula County Detention Facility PAQ states the agency has a policy prohibiting the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless and an assessment of all available alternatives has been made and a determination has been made that there is not available alternative means of separation from likely abusers. The number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment is zero.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 19-20, section 115.43- Protective Custody, Policy (a) states, “MCDF shall ensure that the facility does not automatically or routinely involuntarily segregate inmates at high risk of sexual victimization or restrict their access to programming or other available activities based on their at-risk status.

(a) Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.”

(b) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 20, section 115.43- Protective Custody, Policy (b) 1-3, states, “Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:

(1) The opportunities that have been limited;

(2) The duration of the limitation; and

(3) The reasons for such limitations.”

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

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 19, section 115.43- Protective Custody, Policy (c), states, “MCDF will assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.”

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

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 19-20, section 115.43- Protective Custody, Policy (d) 1-2, states, “If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, the MCDF shall clearly document:

1. The basis for the facility’s concern for the inmate’s safety; and
2. The reason why no alternative means of separation can be arranged.”

(e) The Missoula County Detention Facility PAQ states if an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population. The PAQ states, “Weekly review of segregated housing assignments would occur during Inmate Management Plan meetings.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 20, section 115.43- Protective Custody, Policy (e), states, “Every 30 days, MCDF shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population.”

Through such reviews, the facility meets the standard requirements.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Missoula County Detention Facility PAQ
2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023
3. Missoula County Detention Facility Inmate Information and Rule Book, dated 2022
4. Zero Tolerance Posting, not dated
5. MCDF Staff PREA Training PowerPoint, dated 2023
6. Missoula County Detention Facility PREA Hotline Reporting Form, dated 3.2022

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Detention Officers
4. Jail Commander

Informal and formal interviews with inmates demonstrated each were comfortable reporting verbally to any staff, were aware of reporting options of using the tablet, through a kite, contacting medical and or mental health, through their families or the hotline numbers posted in the Zero Tolerance flyers throughout the facility.

Detention Officers interviewed stated each would accept reports from inmates in any manner they chose to provide information on sexual harassment or sexual abuse.

Site Observations:

During the tour the PREA hotline number was tested from inmate living units. A recorded message instructed youth to leave a detailed message, that the caller could be anonymous and the call was not monitored from inside the facility. After a proper introduction and the reason for the call, the Auditor requested a call back with information on how staff respond to such calls. On the same the Captain personally reported to the Auditor that he had received the hotline call and stated if this was an actual PREA call he would take immediate action to separate and involve the PREA Coordinator, his investigators and begin all process to ensure safety within the facility.

(Please understand PREA hotline calls are accepted by a County entity, screened and sent to the facility for processing, when applicable.)

(a) The Missoula County Detention Facility PAQ states the agency has established procedures allowing for multiple internal ways for Inmates to report privately to agency officials about sexual harassment, abuse, retaliation and or any type of neglect.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 20-21, section, 115.51- Inmate Reporting, Procedure, states, "Regardless of its source, staff, contractors and/or volunteers who receive information concerning sexual abuse or sexual harassment behavior, or who observe an incident of sexual abuse and sexual harassment, or who have a reasonable cause to suspect that an inmate has been or is being subject to sexual abuse or harassment must immediately report such to his/her supervisor and the shift supervisor and/or designee. Staff cannot remain anonymous and have a duty to report violations. Staff who witness staff on inmate sexual abuse and/or sexual harassment can report privately to the PREA hotline or to the PREA Compliance Coordinator.

Inmates will have the option of reporting anonymously to an outside organization by calling the PREA Hotline at 1-406-258-DONT (3668). Calls to the PREA hotline are free of charge and will not be recorded. Inmates can also file a written grievance, file a written request to medical staff, have a third party report filed on their behalf via the website, <https://www.missoulacounty.us/government/public-safety/detention-facility>, and they can report verbally to any staff member."

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 20-21, section, 115.51- Inmate Reporting, Policy (a), states, "MCDF will ensure that inmates and staff can report sexual abuse and sexual harassment, regardless of who the perpetrator is and regardless of what other dangers they may face for doing so, by providing them with multiple avenues to report, including an avenue outside the facility, so that even if the abuser is someone directly supervising that inmate or higher up in the authority chain, or a staff person or inmate who might retaliate against that inmate, the victim still has a safe way to report. Thus, sexual abuse and sexual harassment is always reported, which in turn is a deterrent of future abuse.

(a) MCDF will provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents."

The facility provided a Missoula County Detention Facility Inmate Information and Rule Book. Page 15, bottom half of the pages, states, "The policy also encompasses an inmate, staff member, or volunteer's right to be free from retaliation if they report an incident or participate in an investigation.

Inmates who are victims of, or have knowledge of, a PREA violation should immediately report the incident. Reports can be made verbally, in writing, anonymously, and via a third party. Below are the methods available to report:

1. Call an outside entity PREA Hotline to report by dialing 406-258-3668
2. Report to any staff member, volunteer, or contractor including medical and mental health care staff
3. Submit a grievance or an inmate request
4. Report to the facility's PREA Compliance Coordinator or any administration staff
5. Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf through a third-party grievance to prea@missoulacounty.us. The third-party reporting form can be found on the website at <https://www.missoulacounty.us/government/public-safety/detention-facility/prison-rape-elimination-act>
6. Inmates may also submit reports on another inmate's behalf, or someone at the facility may report for an inmate using the methods listed above

Missoula County Detention Facility has partnered with the YWCA to provide survivors of sexual abuse with emotional support services. To access these services, contact 1-800-483-7858 or sent a letter to: YWCA 1800 S 3rd St W, Missoula, MT 59801."

The facility provided a Zero Tolerance Posting. The posting includes the following reporting information.

"HOW TO REPORT

The Missoula County Detention Facility offers multiple ways to report sexual abuse and sexual harassment. Reports can be made verbally, in writing, anonymously, and via a third party. Below are the methods available to report.

- Call an outside entity PREA Hotline to report by dialing 406-258-3668.
- Report to any staff member, volunteer or contractor, including medical and mental health care staff.

- Submit a grievance or an inmate request.
- Report to the facility's PREA Compliance Coordinator.
- Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf through a third-party grievance to prea@missoulacounty.us. The third-party reporting form can be found on the website at <https://www.missoulacounty.us/government/public-safety/detention-facility/prison-rape-elimination-act>
- You also can submit a report on someone's behalf, or someone at the facility can report for you using the methods listed above.

VICTIM SUPPORT SERVICES

Missoula County Detention Facility has partnered with the YWCA to provide survivors of sexual abuse with emotional support services. To access these services, contact 1-800-483-7858 or send a letter to: YWCA 1800 S 3rd St W, Missoula, MT 59801."

(b) The Missoula County Detention Facility PAQ states facility provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency. The agency does not have a policy requiring inmates detained solely for civil immigration purposes be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 21, section, 115.51- Inmate Reporting, Policy (b), states, "MCDF will also provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the program and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security."

The facility provided a Missoula County Detention Facility PREA Hotline Reporting Form. This form provides an external and anonymous reporting venue for anyone who reports an allegation of sexual harassment and sexual abuse. The form can be emailed to prea@missoulacounty.us or faxed to 406.258.4080, Attn: PREA Coordinator. The email address was tested on 5.30.2023 at 11:21 am.

(c) The Missoula County Detention Facility PAQ states the agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made

verbally, in writing, anonymously and from third parties. The agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously and from third parties. The PAQ states, "Staff are required to document by the end of their shift at the latest."

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 20, section, 115.51- Inmate Reporting, Policy (c)(d), state,

(c) "Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

(d) MCDF will provide inmates with access to tools necessary to make a written report."

On 6.7.2023 at 1:42 pm, this Auditor phoned the third party PREA hotline at 406.258.3668 and received a message stating, "You have reached for the PREA Hotline for Missoula County." With instruction to leave a message. A message was provided and a return call was received the following day by the facility PREA Coordinator who explained the call rings into the Missoula County Victim Witness Advocate Office.

(d) The Missoula County Detention Facility PAQ states the agency has established procedures for staff to privately report sexual abuse and sexual harassment of inmates. Staff are informed of these procedures in the following ways. The PAQ states, "Staff can report PREA allegations privately to the PREA Coordinator, the PREA hotline, and/or their direct supervisor."

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 20, section, 115.51- Inmate Reporting, Policy (e), states, "MCDF will provide a method for staff to privately report sexual abuse and sexual harassment of inmates."

The facility provided a MCDF Staff PREA Training PowerPoint. Slide 42 of the PowerPoint provides the following information.

PREA standards exist to support and protect staff who report colleagues' misconduct.

- Your report can be private. You have the right to report abuse or harassment privately without the knowledge of your direct colleagues or immediate supervisor.

	<ul style="list-style-type: none"> · You can choose how to report. Staff who witness a PREA violation can report to the Sheriff's Office, the PREA hotline (406-258-3668), to Human Resource, inform the PREA Coordinator, and/or report to any supervisor. · You will receive protection from retaliation.” <p>Through such reviews, the facility meets the standard requirements.</p>
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115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility Inmate Notification of Investigation Extension, not dated 4. Missoula County Detention Facility Complete Inmate Grievance 5. Missoula County Detention Facility Inmate Information and Rule Book, dated 2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. PREA Coordinator <p>Inmates interviewed were aware of the grievance procedures and understood they could complete a grievance, if necessary. Inmates stated grievances were easy to access as they only needed to request one from the guards. Inmates stated they always have access to writing utensils and if not, the guards would provide one to them.</p> <p>Site Observation:</p>

Grievance, medical and outgoing mail boxes were observed near the Control Booth in each living unit.

(a) The Missoula County Detention Facility PAQ states the agency has an administrative procedure for dealing with Inmate grievances regarding sexual abuse.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 23, section 115.52- Exhaustion of administrative remedies, Procedures, states, “MCDF has an established 3rd party reporting form specifically for sexual abuse, available on the website, <https://www.missoulacounty.us/government/public-safety/detention-facility> which will then be emailed to the a confidential email, prea@missoulacounty.us.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 21-22 section 115.52- Exhaustion of administrative remedies, Policy (a) 1-4, states, “To ensure that the substance of sexual abuse allegations are heard and evaluated by both confinement facilities and federal courts, when appropriate, without being barred by procedural requirements.

(a)(1) MCDF will not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.

(2) MCDF may apply otherwise-applicable time limits on any portion of a grievance that does not allege an incident of sexual abuse.

(3) MCDF will not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.

(4) Nothing in this section shall restrict the agency’s ability to defend against a lawsuit filed by an inmate on the ground that the applicable statute of limitations has expired.”

(b) The Missoula County Detention Facility PAQ states agency policy does not require an inmate to use an informal grievance process, or otherwise to attempt to resolve with staff, an alleged incident of sexual abuse. Policy compliance can be found in provision (a) of this standard.

(c) The Missoula County Detention Facility PAQ states the agency’s policy and procedure allows an inmate to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. The agency’s policy and procedure requires that an inmate grievance alleging sexual abuse not be

referred to the staff member who is the subject of the complaint.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 22, section 115.52- Exhaustion of administrative remedies, Policy (b) 1-2, states, “(b) MCDF will ensure that—

1. An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
2. Such grievance is not referred to a staff member who is the subject of the complaint.”

(d) The Missoula County Detention Facility PAQ states the agency’s policy and procedures that require a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. In the past 12 months:

- there have been six grievances filed alleging sexual abuse;
- In the past 12 months, the number of grievances alleging sexual abuse that reached final decision within 90 days after being filed was six.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 22, section 115.52- Exhaustion of administrative remedies, Policy (c) 1-4, state,

1. MCDF will 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.
2. Computation of the 90-day time period shall not include time consumed by inmate in preparing any administrative appeal.
3. MCDF may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.
4. 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, the inmate may consider the absence of a response to be a denial at that level.”

The facility provided a Missoula County Detention Facility Inmate Notification of Investigation Extension. This form relays the following information to inmates.

PREA Standard 115.52 Exhaustion of administrative remedies: MCDF may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision.

- Date:
- PREA Incident #:
- Inmate Name:
- Date of initial PREA report:
- 90-day closure date:
- 70-day extension date:
- Investigation Type: Sexual Harassment Sexual Abuse
- Date Investigation Began:
- Investigating Agency: Missoula County Detention Facility Missoula County Sheriff's Office
- Reason for extension:

The form is signed and dated by both the inmate and PREA Compliance Coordinator.

The facility provided a Missoula County Detention Facility completed inmate grievance. The grievance is a complaint of a falsely reported PREA allegation and was denied due to the inmate not attempting an informal resolution before filing the grievance.

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

22, section 115.52- Exhaustion of administrative remedies, Policy (d) 1-3, state,

(1) “Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of the inmate.

(2) If a third-party file such a request on behalf of the 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.

(3) If the inmate declines to have the request processed on his or her behalf, MCDF shall document the inmate’s decision.”

(f) The Missoula County Detention Facility PAQ states the facility has a policy and established procedures for filing an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse. The facilities policy and procedures for emergency grievances alleging substantial risk of imminent sexual abuse require an initial response within 48 hours. The facilities policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse require that a final agency decision be issued within 5 days. Zero grievances were received alleging substantial risk of imminent sexual abuse, that were filed in the past 12 months, reached final decisions within 40 days.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 22-23, section 115.52- Exhaustion of administrative remedies, Policy (e) 1-2, state,

(1) “MCDF will establish procedures for the filing of an emergency grievance alleging that the inmate is subject to a substantial risk of imminent sexual abuse.

(2) After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the MCDF will 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, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final agency decision shall document the agency’s determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.”

The facility provided a Missoula County Detention Facility Inmate Information and Rule Book. Page 16-17, section 513., states, “513. Grievance Procedures – Inmates may utilize the formal grievance process when they believe there are legitimate issues they wish to address about conditions of confinement, treatment, PREA, or other

aspects of their stay with MCDF. Inmates will not express their grievances in disruptive, threatening, or insubordinate manners. Inmates will not agitate or organize other inmates into any sort of disruptive action or organized resistance against facility policy, orders, procedures, or personnel. Inmates who have grievances will submit them in writing after attempting an informal resolution.”

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

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 23, section 115.52- Exhaustion of administrative remedies, Policy (f) states, “MCDF may discipline an inmate for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the inmate filed the grievance in bad faith.”

Through such reviews, the facility meets the standard requirements.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility Inmate Information and Rule Book, dated 2022 4. Zero Tolerance Posting, not dated 5. Missoula County Detention Facility – Missoula County Detention Facility – Sexual Assault and Staff Misconduct Brochure, not dated 6. Memorandum of Understanding YWCA of Missoula, dated 4.5.2023

Interviews:

1. Random Inmates
2. Targeted Inmates
3. Detention Officers

Staff and inmates interviewed were aware of outside reporting agencies and spoke to the information being posted throughout the facility. Youth stated they were aware of the YWCA and the advocate services provided to them if they requested emotional support services.

Site Observation:

During the tour the Auditor phoned the YWCA from inmate phones in their living units. After proper introductions and the reason for the call the Auditor was told the operator could not answer questions and to call the PREA hotline for answers. After repeating the need to know how youth calls would be answered the operator again stated she would instruct youth to call the PREA hotline. Upon receipt of this information the PREA Coordinator and Assistant Jail Administrator were notified. Soon thereafter the Assistant Jail Administrator reached the Director of the YWCA who apologized and assured the facility the staff answering the phone was incorrect, and would be retrained. The YWCA Director stated proper protocols would include the advocate answering the call addressing the caller's needs, the call would not be transferred as all calls are answered by advocates, at the request of the victim would meet them at the hospital, provide ongoing emotional support, and would attend hearings.

(a) The Missoula County Detention Facility PAQ states the facility provides inmates with access to outside victim advocates for emotional support services related to sexual abuse by:

- Giving inmates (by providing, posting, or otherwise making accessible) mailing addresses and telephone numbers (including toll-free hotline numbers where available) of local, State, or national victim advocacy or rape crisis organizations.
- Does not give inmates mailing addresses and telephone number (including toll-free hotline numbers where available) for immigrant services agencies for persons detained solely for civil immigration purposes; and
- Enables reasonable communication between inmates and these organizations, in as confidential manner as possible.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 23-24, section 115.53- Inmate access to outside confidential support services, Procedure, states, “MCDF has established an MOU with the YWCA which is a rape crisis center for victim advocacy. Victim advocates are available 24/7. Inmates can call the YWCA free of charge and MCDF will not record those calls. Written correspondences are not treated as confidential and would be subject to inspection. Contact information for the YWCA is published in the Inmate Information and Rule Book and on posters in the unit.

Because there is only one person on call 24/7 at the YWCA, inmates may be asked to leave a message with a name and contact number for a return call. Return calls will be made within 2 hours by a victim advocate. If an alleged victim is asked to leave a message, staff will notify the PREA Coordinator who has completed the PREA: Behavioral Health Care for Sexual Assault Victims in a Confinement Setting training. The PREA Coordinator will respond and assist the alleged victim in contacting the YWCA.

YWCA
1800 S 3rd Street W
Missoula, MT 59801
1-800-483-7858

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 23, section 115.53- Inmate access to outside confidential support services, Policy (a), states, “MCDF will 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, and, for persons detained solely for civil immigration purposes, immigrant services agencies. MCDF will enable reasonable communication between inmates and these organizations and agencies, as confidential manner as possible.”

The facility provided a Missoula County Detention Facility – Missoula County Detention Facility – Sexual Assault and Staff Misconduct Brochure. The brochure provided the following information.

- Sexual assault and staff sexual misconduct are against the law.
- MCDF is committed to your safety and the safety of staff.
- MCDF has ZERO TOLERANCE for sexual assault.
- What is sexual assault
- Examples of sexual assault

- How to prevent sexual assault
- What to do if you've been sexually assault
- PREA Hotline at 1.406.258.3668
- YWCA provides survivors of sexual abuse with emotional support services - to include YWCA address and phone number.
- How to report sexual assault and your options

The facility provided a Zero Tolerance for Sexual Abuse and Sexual Harassment Posting. This posting includes the following information.

Victim Support Services

Missoula County Detention Facility has partnered with the YWCA to provide survivors of sexual abuse with emotional support services. To access these services, contact 1-800-483-7858 or send a letter to: YWCA 1800 S 3rd St W, Missoula, MT 59801.

The facility provided a Missoula County Detention Facility Inmate Information and Rule Book. Page 15, section 510. Prison Rape Elimination Act (PREA), states, "Missoula County Detention Facility has partnered with the YWCA to provide survivors of sexual abuse with emotional support services. To access these services, contact 1-800-483-7858 or send a letter to: YWCA 1800 S 3rd St W, Missoula, MT 59801."

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

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 23, section 115.53- Inmate access to outside confidential support services, Policy (b), states, "MCDF will inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws."

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

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 23, section 115.53- Inmate access to outside confidential support services, Policy (c), states, “MCDF will 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. MCDF will maintain copies of agreements or documentation showing attempts to enter into such agreements.”

The facility provided a Memorandum of Understanding between Missoula County Detention Center and the YWCA. Page 1, second paragraph, states, “WHEREAS, Agency desires that Community Provider provide victim assistance and counseling services that are essential for Agency to comply with the Prison Rape Elimination Act (PREA).” The Memorandum of Understanding is signed and dated on 4.5.2023 by a MCDF Representative and a YWCA Representative.

On 5.30.2023 at 12:10 pm, the Auditor contacted the YWCA at 1800 S. 3rd Street, Missoula, MT at phone number 1.800.483.7858. After proper introductions and the reason for the call, the Pathways Advocate stated, “We are aware of the agreement to help the Missoula County Detention Center. We have our own set of Sexual Abuse Advocates who would provide services to meet a sexual abuse victim at the hospital when requested and would provide ongoing emotional support services via the telephone only. services but we do not report.”

Through such reviews, the facility meets the standard requirements.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review: <ol style="list-style-type: none">1. Missoula County Detention Facility PAQ2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility,

dated 4.2023

3. Missoula County Detention Facility Prison Rape Elimination Act Third Party Reporting Form, not dated

1. Random Inmates
2. Targeted Inmates
3. Detention Officers
4. PREA Coordinator

Interviews with inmates demonstrated their knowledge of third party reporting stating that they could tell family members or friends could report sexual harassment or sexual abuse allegations for them.

Interviews with staff interviewed demonstrated each would report any third party call and report the call to their direct supervisor, the PREA Coordinator and law enforcement.

Site Observation:

During tours of visitation area, PREA Zero Tolerance flyers were available to include third party reporting information. Inmates were able to demonstrate each have access to tablets which have a PREA option. Once the PREA option is selected, the Zero Tolerance flyer appears on the tablet and all reporting options are available, via the tablet. Inmates were able to demonstrate messaging systems and PREA information on the Kiosks, which are available in each living unit.

(a) The Missoula County Detention Facility PAQ states the facility provides a method to receive third-party reports of inmate sexual abuse or sexual harassment. The agency publicly distributes information on how to report Inmate sexual abuse or sexual harassment on behalf of Inmates. The PAQ states, "MCDF has an established "Third Party Reporting Form" available on its website: <https://www.missoulacounty.us/government/public-safety/detention-facility/prison-rape-elimination-act>, which will automatically sent to a confidential account manned by high-level MCDF administrators. Additionally, the PREA Hotline is available for third party reports, the number to which is prominently displayed on PREA "Zero-Tolerance" posters hanging in visiting areas and public lobby areas."

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 24, section 115.54- Third-party reporting, Procedure, states, “Any reports of sexual abuse or harassment from a third parties should be immediately referred to the PREA Compliance Coordinator. MCDF has an established 3rd party reporting form specifically for sexual abuse, available on the website, <https://www.missoulacounty.us/government/public-safety/detention-facility> which will then be emailed to a confidential email, prea@missoulacounty.us. Third-party reports of sexual abuse and sexual harassment can also be reported via the PREA Hotline at 1-406-258-3668. MCDF will display a poster in the lobby and visiting areas (and other areas deemed appropriate) outlining how third parties can report an incident of sexual abuse or sexual harassment. “

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 24, section 115.54- Third-party reporting, Policy, states, “To ensure facilities accept third-party reports of sexual abuse and sexual harassment taking place inside the facility that comes to their attention and to trigger an investigation. MCDF will establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate. “

The facility provided a Missoula County Detention Facility Prison Rape Elimination Act Third Party Reporting Form. This form allows reporting parties to report the following information.

Top of the form states, “Anonymous reporting is permitted”

- Inmates Name
- Date of Alleged Incident
- Time of Alleged Incident
- Who was involved
- What Happened
- Where did it occur
- How did it occur
- Any other pertinent information

Please provide your community contact information in case we need to follow-up with

you (OPTIONAL):

- Your name
- Telephone #:
- Email

Upon completion of this form, please return to the receptionist. You may also email this form to prea@missoulacounty.us or fax to 406-258-4080, Attn: PREA Coordinator.

On 5.30.2032 at 12:00 pm the Auditor sent the following email to PREA@missoulacounty.us:

My name is Karen Murray and I am preparing to audit the Missoula County Detention Facility. I am testing this email address in hopes of getting a response on how this email address would respond to an anonymous allegation of sexual harassment or sexual abuse. When you have a moment, could you please tell me how you would respond?

On 5.30.2023 at 11:11 am, the following email was received from facility PREA Coordinator.

As the Missoula County Detention Facility's PREA Coordinator, I am one party that receives these emails. Receipt of these emails triggers a response, and my role as point person for this email account would be to read the email/report and take immediate action, including:

Immediately separating the involved inmates, and/or involved staff and inmate(s) to prevent further victimization;

Preserve any evidence for collection by locking down the potential crime scene area;

Preserve any evidence for collection from the involved inmates and/or staff member (Requesting no showering, no brushing teeth, no changing clothes, no hiding further evidence, etc.);

Offering immediate victim advocacy services and access to appropriate mental health staff;

	<p>Initiating the formal investigation, including requesting formal reports from first responders.</p> <p>My role would also be to alert the members of the PREA response team, and maintaining confidentiality by containing the allegation and investigation to those response team members.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.61	Staff and agency reporting duties
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Jail Commander Notification to Responding Facility, dated 8.22.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Inmates 2. Targeted Inmates 3. Detention Officers 4. PREA Coordinator <p>Interviews with inmates demonstrated each were aware of reporting options and each were comfortable reporting directly to Detention Officers. As described in prior standards, each inmate interviewed reported feeling sexually safe in the facility and safe reporting to staff, anonymously or with their names through the kite and grievance systems, utilization of the PREA hotline or by telling a trusted adult in the community.</p> <p>Interviews with Detention Officers demonstrated each would accept any reports of</p>

sexual harassment or sexual abuse, regardless of the source of allegation. Detention Officers also stated they would report any knowledge, suspicion or information gained, regardless of the source of the allegation.

The PREA Coordinator stated she would accept and investigate any report of sexual harassment or sexual abuse, regardless of the source of the allegation and or report to the Deputy's if she believed the allegation to be of a criminal nature.

Site Observations:

During the onsite review, 10 investigations were reviewed of which six were verbal reports to staff, three PREA hotline calls and one third-party report demonstrating staff align to standard reporting protocols.

(a) The Missoula County Detention Facility PAQ states the agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency. The agency requires all staff to report immediately and according to agency policy any retaliation against Inmates or staff who reported such an incident. The agency requires all staff to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 24, section 115.61- Staff and agency reporting duties; Reporting of allegations, Policy (a), states, "To establish a strong, effective reporting culture among staff and ensure that the facility receive timely information about sexual abuse, sexual harassment, retaliation, and staff neglect or violations of responsibilities that may have contributed to an incident or retaliation. The standard requires the agency to ensure facility staff report all allegations, while also taking steps to protect the confidentiality of sexual abuse information by sharing internally with only those who need to know.

(a) MCDF will 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; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation."

The facility provided email communication to the receiving facility to demonstrate

notifications were made from the head of the facility within one hour of receiving the information from the facility PREA Coordinator.

(b) The Missoula County Detention Facility PAQ states apart from reporting to designated supervisors or official and designated state or local service agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 24, section 115.61- Staff and agency reporting duties; Reporting of allegations, Policy (b), states, “Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.”

(c) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 24, section 115.61- Staff and agency reporting duties; Reporting of allegations, Policy (c), states, “Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section and to inform inmates of the practitioner’s duty to report, and the limitations of confidentiality, at the initiation of services.”

(d) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 24-25, section 115.61- Staff and agency reporting duties; Reporting of allegations, Policy (d), states, “If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, MCDF will report the allegation to the designated State or local services agency under applicable mandatory reporting laws.”

(e) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 25, section 115.61- Staff and agency reporting duties; Reporting of allegations, Policy (e), states, “MCDF will report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility’s designated investigators.”

Through such reviews, the facility meets the standard requirements.

115.62 Agency protection duties

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Missoula County Detention Facility PAQ
2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023

Interviews:

1. Detention Officers
2. PREA Coordinator
3. Assistant Jail Commander
4. Under Sheriff

Interviews with the facility and agency personnel demonstrated facility staff act promptly and respond promptly and thoroughly at the discovery of any incident involving sexual harassment and or sexual abuse.

(a) The Missoula County Detention Facility PAQ states when the agency or facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the Inmate. In the past 12 months, the facility reports zero inmates were subject to substantial risk of imminent sexual abuse. Upon discovery of Inmate being subject to substantial risk, the facility immediately separates the victim from the perpetrator. The PAQ states, “Inmates are not placed in housing units until the PREA Risk Assessment has been completed. Inmates are not housed prior to their unique risk determination.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 25, section 115.62- Facility protection duties, Procedure, states, “All inmates will complete a Risk Assessment at intake to determine housing classification. MCDF will not house known or potential victims with known or potential aggressors. Staff will follow the PREA Incident Response Flowchart and Checklist immediately when learning an inmate is subject to substantial risk of imminent sexual abuse in order to take appropriate action to protect the inmate.”

	<p>Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 25, section 115.62- Facility protection duties, Policy, states, “When MCDF learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the inmate.”</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.63 Reporting to other confinement facilities	
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Assistant Jail Commander 2. Under Sheriff <p>The interview with the Assistant Jail Commander and the Under Sheriff demonstrated that both were aware that upon receiving an allegation that a youth was sexually abused while confined at another facility, they had the responsibility to notify the head of the facility where the allegation occurred. Both staff stated they would begin an internal investigation and keep in contact with the facility in question until the investigation was completed.</p> <p>Site Observation:</p> <p>The facility had no reported allegations of sexual abuse while youth were confined at another facility.</p> <p>(a) The Missoula County Detention Facility PAQ states the agency has a policy requiring that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility</p>

or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. The agency's policy also requires that the head of the facility notify the appropriate investigative agency. In the past 12 months, the facility has received three allegations that an inmate was abused while in confinement at another facility. The PAQ states, "Upon receiving an allegation that an inmate was sexually abused in another confinement facility, the Commander and/or Captain of MCDF will immediately notify the head of the facility the allegation came from, and also will notify the appropriate investigative agency where applicable."

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 25-26, section 115.63- Reporting to other confinement facilities, Procedure, states, "If any inmate at intake, or any other time, reports being sexually abused in another facility, staff will immediately notify the supervisor who will relay the information to the Commander. The Commander will then contact the head of the facility of the agency where the alleged abuse occurred and shall notify the appropriate investigative agency. Notification will be made no later than 72 hours after receiving the allegation and will be documented."

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 25, section 115.63- Reporting to other confinement facilities, Policy (a), states, "To ensure that allegations of custodial sexual abuse that are reported to any facility are timely investigated by the facility where the abuse allegedly occurred. The intent of the standard is to urge facility heads to send the notification to an individual or office that will ensure the facility takes immediate steps to investigate the allegation appropriately and promptly. It is important that the person receiving the report of sexual abuse at the facility understands the seriousness and gravity of the allegation, and that the communication originated at the highest level of the reporting facility."

(a) Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred and shall also notify the appropriate investigative agency."

(b) The Missoula County Detention Facility PAQ states agency policy requires that the facility head provides such notification as soon as possible, but no later than 72 hours after receiving the allegation.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 25, section 115.63- Reporting to other confinement facilities, Policy (b), states, "Such notification shall be provided as soon as possible, but no later than 72 hours after

receiving the allegation.”

(c) The Missoula County Detention Facility PAQ states the facility documents that it has provided such notification within 72 hours of receiving the allegation.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 25, section 115.63- Reporting to other confinement facilities, Policy (c), states, “MCDF will document that it has provided such notification.”

(d) The Missoula County Detention Facility PAQ states facility policy requires that allegations received from other agencies or facilities investigated in accordance with the PREA standards. In the last 12 months, there have been zero allegations of sexual abuse the facility received from other facilities.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 25, section 115.63- Reporting to other confinement facilities, Policy (d), states, “The facility head that receives such notification shall ensure that the allegation is investigated in accordance with these standards.”

Through such reviews the facility meets the standard requirements.

115.64 Staff first responder duties	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review: <ol style="list-style-type: none">1. Missoula County Detention Facility PAQ2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.20233. Missoula County Detention Facility PREA First Responder Flow Chart, not dated
	Interviews:

1. Detention Officers
2. Unit Manager
3. PREA Coordinator

Interviews demonstrated staff were aware of their first responder responsibilities. Staff stated reporting information is posted throughout the facility and each had been trained on reporting options during PREA training. Staff stated they would separate the alleged victim and abuser to an area where water could not be used to wash away or tamper with possible evidence. Each staff interviewed stated they would make proper notifications to their immediate supervisor, the PREA Coordinator and or the Missoula Sheriff's Department and complete a report documenting details of their involvement of the allegation.

Site Observation:

Of the six allegations/investigations reported to staff, reviewed during the onsite review, staff separated five victims from their abusers upon receipt of the allegation.

(a) The Missoula County Detention Facility PAQ states the agency has a first responder policy for allegations of sexual abuse. The policy requires that, upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to separate, preserve, protect, collect physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

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

Of these allegations of sexual abuse in the past 12 months, the number of times the first security staff member to respond to the report separated the alleged victim and abuser was eight.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 25-26, section 115.64- Staff first responder duties, Policy, states, “If any inmate at intake, or any other time, reports being sexually abused in another facility, staff will immediately notify the supervisor who will relay the information to the Commander.

The Commander will then contact the head of the facility of the agency where the alleged abuse occurred and shall notify the appropriate investigative agency. Notification will be made no later than 72 hours after receiving the allegation and will be documented.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 25, section 115.64- Staff first responder duties, Procedure 1-4, states, “The first staff member to respond to an incident shall be required to:

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

The facility provided a Missoula County Detention Facility PREA First Responder Flow Chart. The flow chart demonstrates clear direction for the first responder to:

- Separate the alleged victim and abuser
 - o Assess the victims’ acute medical needs
 - o Inform the victim of his or her rights
 - o Explain the need for a forensic exam
 - o Offer outside victim advocate
 - o MCDF Mental Health provide crisis intervention counseling
 - o Provide for any special needs the victim may have
- Preserve and protect the scene
- Collect physical evidence
- Request the alleged abuser and victim don’t take any actions that could destroy physical evidence

(b) The Missoula County Detention Facility PAQ states the facility’s’ policy requires that if the first staff responder is not a security staff member, that responder shall be

	<p>required to request that the alleged victim not take any actions that could destroy physical evidence and notify security staff. Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder was zero.</p> <p>Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 25, section 115.64- Staff first responder duties, Procedure (5), states, “If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility Coordinated Response, dated 5.18.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Detention Officers 2. PREA Coordinator 3. Assistant Jail Commander 4. Under Sheriff <p>Interviews with staff demonstrated the response to allegations of sexual assault is written to coordinate actions taken in response to sexual abuse and sexual harassment incidents.</p>

Site Observation:

Review of the Facility PREA Policy Coordinated Response demonstrates clear direction to staff to ensure first responder duties are fulfilled. Coordinated Response Flow Charts are made available in every Control Booth in the facility.

(a) The Missoula County Detention Facility PAQ states the facility developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 26-27, section 115.65 Coordinated Response, Policy, states, “MCDF first responders will follow the PREA Incident Response Flowchart and Checklist, the MCDF PREA Coordinated Response, and requirements of PREA Standard 115.64.

At a minimum, the following is to be determined in the plan:

1. Separating the inmate victim from the alleged abuser.
2. Assessment of the victim’s acute medical needs.
3. Informing the victim of his or her rights under relevant Federal and State law.
4. Explanation of the need for a forensic medical exam and offering the victim the option of undergoing one.
5. Offering the presence of a victim advocate or a qualified staff member to be present during the exam.
6. Providing crisis intervention counseling.
7. Interviewing the victim and any witnesses.
8. Collecting evidence.
9. Providing for any special needs the victim may have.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 26, section 115.65 Coordinated Response, Policy states, “MCDF will develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership. “

	<p>The facility provided a Missoula County Detention Facility PREA Coordinated Response outlining the responsibilities for all first responders, Unit Managers, Shift Supervisors, trained Deputy's, Medical and Mental Health staff.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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<p>115.66</p>	<p>Preservation of ability to protect inmates from contact with abusers</p>
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Agreement between the County of Missoula and AFSCME Detention Support Unit, dated 7.1.2021 – 6.30.2024 4. Agreement between the County of Missoula and Association of Federal, State, County and Municipal Employees (AFSCME) Detention Officers, Association of Missoula County, dated 7.1.2021 – 6.30.2023 <p>Interview:</p> <ol style="list-style-type: none"> 1. Under Sheriff <p>The interview with the Under Sheriff demonstrated the agency participates in collective bargaining for the County.</p> <p>(a) The Missoula County Detention Facility PAQ states the agency, facility, or any other governmental entity responsible for collective bargaining on the agency's behalf has entered into or renewed any collective bargaining agreement or other agreement since August 20, 2012, or since the last PREA audit, whichever is later. The PAQ states, "We have 3 different union/contracts for staff regarding discipline. PREA is not specific to any of them. We do agree to add specific PREA language when it is time to renew this agreement, which occurs in 2024. There is nothing in our</p>

collective bargaining agreement that prevents MCDF from separating an inmate and a staff member involved in PREA investigations.

Note: The PREA Disclosure Form all staff are required to sign states they will face termination under the discipline process for PREA violations and/or failure to disclose.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 27, section 115.66 Preservation of ability to protect inmates from contact with abusers, Policy, states, “MCDF will ensure that the Detention Officer contract with Missoula County collective bargaining unit will not limit the agency’s ability to remove alleged staff sexual abusers from contact with inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 27, section 115.66 Preservation of ability to protect inmates from contact with abusers, Procedure, states “To help prevent staff sexual abuse and foster a culture of reporting, recognizing that: inmates are more likely to report sexual abuse when MCDF is able to protect them from further abuse and when staff are held accountable for engaging in sexual abuse; and holding staff accountable for committing sexual abuse discourages future abuse. To ensure that employee collective bargaining agreements do not present a barrier to an agency’s ability to protect inmates from contact with alleged sexual abusers during investigations or hinder an agency’s ability to discipline staff who have been found to have engaged in sexual abuse of inmates.”

The facility provided the following agreement:

- Agreement between the County of Missoula and AFSCME Detention Support Unit
- Agreement between the County of Missoula and Association of Federal, State, County and Municipal Employees (AFSCME) Detention Officers, Association of Missoula County,

During the pre-audit phase, the Auditor reminded the agency to ensure proper PREA compliance language is in the new contracts once renewed in June of 2023 and June of 2024.

Through such reviews, the facility meets the standard requirements.

115.67 Agency protection against retaliation

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Missoula County Detention Facility PAQ
2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023
3. Missoula County Detention Facility PREA Monitoring Form, dated 3.2022
4. Post Audit: Missoula County Detention Facility, Subject: 115.67, dated 7.12.2023

Interviews:

1. PREA Coordinator

Interviews PREA Coordinator demonstrated that she would complete retaliation monitoring by meeting with the alleged victim upon receipt of the allegation. The PREA Coordinator would continually monitor disciplinary reports, housing changes, behaviors and provide the inmate a safe place to report, through her. The PREA Coordinator stated she would document monitoring checks on the Retaliation Monitoring Form and upload this documentation in the Jail Management System, New World.

Site Observation:

During the pre-audit phase, it was demonstrated retaliation monitoring began once an investigation was completed. Investigation file review demonstrated two inmates were currently being monitored for retaliation where monitoring began after the pre-audit discovery.

Action Plan:

- Assistant Jail Commander to write a memorandum providing a sustainable action to ensure retaliation monitoring begins upon receipt of an allegation of sexual abuse. (who will do what, when for ongoing quality assurance.)
- Upload the memorandum to the supplemental files.

Post audit the facility provided a Missoula County Detention Facility, Subject: 115.67 Retaliation Monitoring, stating, "In accordance with PREA standard, 115.67, for at least 90 days following a report of sexual abuse, Missoula County Detention Facility will 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. Monitoring will begin immediately upon receipt of a report of suspected sexual abuse. Monitoring shall continue beyond 90 days if the initial monitoring indicates a continuing need.

The PREA coordinator will be responsible for monitoring, which will include disciplinary action, housing, program changes, or negative performance reviews or reassignments of staff.

Administrative staff responsible for incident report reviews, conducted on every type of incident report generated at MCDF, will confirm that retaliation monitoring has begun and is documented as an activity in the incident report for any report of sexual abuse. If monitoring has not begun, MCDF Administrative staff will direct the PREA coordinator to begin monitoring immediately and to document the reasons for any delays."

(a) The Missoula County Detention Facility PAQ states the agency has a policy to protect all Inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other Inmates or staff. The agency designates PREA Coordinator with monitoring for possible retaliation.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 28, section 115.67 Facility protection against retaliation, Procedure, states, "MCDF will protect all inmates and staff who report sexual abuse or sexual harassment from retaliation by other inmates and staff. The PREA Compliance Coordinator will monitor retaliation for at least 90 days following a report of sexual abuse using the retaliation form. Monitoring will be completed via face-to-face contact with the inmate or staff monthly, and will include review of any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Monitoring will also include periodic status checks of the inmate. If any individual who cooperated with an investigation expresses a fear of retaliation, MCDF will take appropriate measures to protect that individual against retaliation. Retaliation of inmates and/or staff may be reviewed in the Inmate Management Plan meeting to discuss multiple protection measures for the victim and abuser. Retaliation monitoring will terminate if the allegation is unfounded; if it is unsubstantiated, monitoring will

continue for 90 days. If a report is made by a staff member who reported the incident after witnessing sexual assault and are reporting on behalf of the inmate, the PREA Compliance Coordinator will monitor the reporting staff member for retaliation. MCDF will not put victims in involuntary segregated housing unless it is necessary for the inmate's protection. If victims are placed in involuntary segregated housing, staff will provide justification on the PREA Victim Housing Preference Segregation Review Form. MCDF will offer all staff members who fear retaliation emotional support services.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 27-28, section 115.67 Facility protection against retaliation, Policy (a), states, “Inmate, staff, contractors, volunteers, or third-party reporters who choose to file a report of sexual abuse or sexual harassment, or cooperate with an investigation, shall not be subject to any form of retaliation related to the reporting of or participation in an investigation of such.

(a) MCDF will establish a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff and shall designate which staff members or departments are charged with monitoring retaliation.”

The facility provided a Missoula County Detention Facility PREA Monitoring form. The form documents the following information.

- Basic Information
 - o PREA Incident #: / Facility: Adult or Juvenile
 - o Type of Allegation / Allegation Date
 - o Monitoring Begin Date / Monitoring Expiration Date
 - o Alleged Victim Being Monitored and Global #:
 - o Staff / Inmate Witness Being Monitored and Global # / Employee ID#
- In Person Status Check / Date / Person Monitoring
 - o Face to Face Contact
 - o Reviewed Program Changes
 - o Reviewed Disciplinary Reports
 - o Reviewed Employee Evaluation
 - o Reviewed Shift Change
 - o Reviewed Housing Changes

- o File Grievance
- o Reviewed Employee Evaluations

(b) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 28, section 115.67 Facility protection against retaliation, Policy (b), states, “MCDF will 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.”

(c) The Missoula County Detention Facility PAQ states the facility monitors the conduct or treatment of Inmates or staff who reported sexual abuse and of Inmates who were reported to have suffered sexual abuse to ascertain if there are any changes that may suggest possible retaliation by Inmates or staff. The facility will monitor conduct or treatment until the Inmate is discharged. The facility acts promptly to remedy any such retaliation. In the past 12 months, the facility has had zero incidents of retaliation.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 28, section 115.67 Facility protection against retaliation, Policy (c), states, “For at least 90 days following a report of sexual abuse, MCDF will 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 MCDF should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. MCDF shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.”

(d) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 28, section 115.67 Facility protection against retaliation, Policy (d), states, “In the case of inmates, such monitoring shall also include periodic status checks.

(e) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 28, section 115.67 Facility protection against retaliation, Policy (e), states, “If any other individual who cooperates with an investigation expresses a fear of retaliation, MCDF shall take appropriate measures to protect that individual against retaliation.”

	<p>(f) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 28, section 115.67 Facility protection against retaliation, Policy (f), states, “MCDF’s obligation to monitor shall terminate if MCDF determines that the allegation is unfounded.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.68	Post-allegation protective custody
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Unit Manager <p>The interview with the Unit Manager demonstrated the need for protective custody had not presented a need in the past 12 months. The Unit Manager stated depending on scheduling the inmate would continue to receive services or reasons would be documented in the New World Jail Management System.</p> <p>(a) The Missoula County Detention Facility PAQ states the agency has a policy prohibiting the placement of inmates who allege to have suffered sexual abuse in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers.</p> <p>The number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting</p>

completion of assessment was zero.

The number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement was zero.

From a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged was zero. If an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 29, section 115.68 - Post-allegation protective custody, Policy, states, “MCDF will not isolate any inmates who have alleged to have suffered sexual abuse, unless it is a last resort when less restrictive measures are inadequate to keep them and other inmates safe, and then only until an alternative means of keeping all inmates safe can be arranged. If the inmate who has alleged to have suffered sexual abuse requests to be placed in isolation, staff will discuss continued housing options with the inmate daily. Staff will complete the PREA Victim Housing Preference Form with the victim prior to a housing change to ensure the victim feels safe returning to general population. The form will be signed by staff and the inmate and placed in the inmate file. Inmates shall also have access to other programs and work opportunities to the extent possible and any restriction will be documented. The inmate will be re-assessed every 30 days and their situation reviewed during the weekly Inmate Managing Plan meeting.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 28-29, section 115.68 - Post-allegation protective custody, Procedure, states, “To ensure that MCDF does not automatically, or routinely involuntarily segregate inmates alleged to have suffered sexual abuse or restrict their access to programming or other available activities, recognizing that any form of involuntary segregation and restrictions to programming or other privileges can be experienced as punitive by inmate. MCDF prohibits involuntary segregation of inmates who reported sexual abuse unless no available alternative means of separation from likely abusers exists.

Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of § 115.42.

Through such reviews, the facility meets the standard requirements.

115.71 Criminal and administrative agency investigations

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Missoula County Detention Facility PAQ
2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023
3. Post Audit: Missoula County Detention Facility Memorandum, Subject: 115.71, dated 7.12.2023
4. Post Audit: Administrative Investigation Report: Requirements & Checklist

Interviews:

1. Targeted Inmates
2. PREA Coordinator / Investigator

Interviews with one inmate who reported sexual abuse demonstrated staff responded “right away”, staff had him wait in the dayroom while staff removed the abuser and was notified about the movement and the outcome of the investigation.

The interview with the Investigator demonstrated she could articulate processes required during an investigation, to include notifying the Assistant Jail Administrator, Captain, Lieutenants and Missoula County Sheriff Department Deputies for criminal investigation, secluding the victim, offering medical services, completing preliminary interviews of the victim, abuser, witnesses and staff, reviewing cameras, reviewing policies and the area where the allegation occurred. The investigator stated she would determine an outcome and document the investigation in the agency jail management system, New World.

Site Observation:

Review of investigations by utilizing the PREA Audit – Adult Prisons & Jails

Documentation Review – Investigations template 10 of 10 investigations reviewed demonstrated many components of the standard requirements were not in compliance.

Action Plan:

- Investigation staff to complete specialized training for investigators.
- Training documentation to be uploaded to the supplemental files.
- Assistant Jail Commander to write a memorandum providing a sustainable action to ensure all provisions are completed as described in this standard. (who will do what, when for ongoing quality assurance.)
- Upload the memorandum to the supplemental files.

Post audit the facility provided a Missoula County Detention Facility Memorandum, Subject: 115.71 Criminal and Administrative Investigations, stating, “In accordance with PREA standard, 115.71, the PREA coordinator will conduct all administrative investigations into allegations of sexual abuse and/or sexual harassment.

The PREA coordinator will utilize MCDF’s “Administrative Investigation Report: Requirements & Checklist” form (attached) to ensure that each requirement of the investigation is complete. At no time, will an investigation be completed by a staff member who has not received specialized training in investigations. The PREA coordinator will maintain training through the National Institute of Corrections for “PREA: Investigating Sexual Abuse in a Confinement Setting”. This training, or comparable training, shall be completed at least every 2 years, or more often if the investigator demonstrates or expresses a need for a refresher.”

Post audit the facility an Administrative Investigation Report: Requirements & Checklist. The checklist ensures each applicable requirement of the investigation process are completed as prescribed in the standard requirements.

(a) The Missoula County Detention Facility PAQ states the agency/facility has a policy related to criminal and administrative agency investigations.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 30, section Procedure, states, “Investigations of sexual abuse will be referred to the

Missoula County Sheriff's Office. Deputies who respond for investigation will have completed special training in sexual abuse investigations pursuant to § 115.34. Administrator investigations will use the PREA Checklist form and document in a written report. The final report will be submitted to the PREA Compliance Coordinator."

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 29, section Policy (a), states, "MCDF will ensure that all allegations of sexual abuse and sexual harassment are investigated thoroughly and properly so that incidents are substantiated when they should be, both to deter these incidents and to increase reporting.

(a) When MCDF conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

(b) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 29, section Policy (b), states, "Where sexual abuse is alleged, MCDF shall use investigators who have received special training in sexual abuse investigations pursuant to § 115.34."

(c) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 29, section Policy (c), states, "Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator."

(d) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 29, section Policy (d), states, "When the quality of evidence appears to support criminal prosecution, MCDF shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution."

(e) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 29, section Policy (e), 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. MCDF will not require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation."

(f) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 30, section Policy (f) 1-2, states, “Administrative investigations:

1. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and

2. 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) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 30, section Policy (g), 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 Missoula County Detention Facility PAQ states substantiated allegations of conduct that appear to be criminal are referred for prosecution. The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since August 20, 2012, or since the last PREA audit, whichever is later was zero.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 30, section Policy (h), states, “Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.”

(i) The Missoula County Detention Facility PAQ states the agency retains all written reports pertaining to administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 30, section Policy (i), states, “The MCDF shall retain all written reports referenced in paragraphs (f) and (g) of this section for as long as the alleged abuser is incarcerated or employed by MCDF, plus five years.”

(j) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility,

	<p>page 30, section Policy (j), 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.”</p> <p>(k) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 30, section Policy (k), states “Any State entity or Department of Justice component that conducts such investigations shall do so pursuant to the above requirements.”</p> <p>(l) Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 30, section Policy (k), states “When outside agencies investigate sexual abuse, MCDF shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. PREA Investigative Report Form, Missoula County Detention Facility, dated 4.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Coordinator / Investigator <p>The interview with the PREA Coordinator demonstrated the facility shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p>

(a) The Missoula County Detention Facility PAQ states the agency imposes a standard of a preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual abuse or sexual harassment are substantiated.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 31, section 115.72 Evidentiary standard for administrative investigations, Procedure, states, “MCDF will utilize the PREA Checklist to ensure investigations are being conducted properly and a post investigation review will take place within 30 days of the determination.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 30, section 115.72 Evidentiary standard for administrative investigations, Policy, states, “To ensure that all administrative investigations into allegations of sexual abuse and sexual harassment use the correct standard of proof – a preponderance of the evidence, which means the greater weight of the evidence. Using the proper evidentiary standard enables an agency to substantiate actual incidents of sexual abuse and sexual harassment in non-criminal investigations. Consistent, properly done investigations into allegations, including using the appropriate evidentiary standard, will increase the chances that consequences will follow substantiated reports of sexual abuse and sexual harassment while also encouraging reporting and deterring further abuse. MCDF will impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

The facility provided a PREA Investigative Report form, Missoula County Detention Facility. The form documents the following information.

- Global #: / Inmate Name
- Date Referred for Investigation
- Date Investigation Began / Date / Time
- Alleged Victim’s Interview / Date / Time
- Alleged Aggressor Interview / Date / Time
- Other Staff/Pertinent Individual(s) Interview(s)
- Other Inmate(s) Interview(s)
- Explanation of Witness Statement Forms Not Completed and/or Other Interviews Not Completed

	<ul style="list-style-type: none"> · Physical Evidence; Credibility Assessment; Other Included Reports/Information · Case Outcome to include investigative facts · Signature of Investigating Officer · Date Investigation Completed <p>Through such reviews, the facility meets the standard requirements.</p>
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115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility PREA Post Investigation Resident Notification, dated 4.1.2022 4. Post Audit: Missoula County Detention Center Memorandum, Subject: 115.73, dated 7.12.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Coordinator <p>The interview with the PREA Coordinator demonstrated she would report to inmates verbally and in writing by documented the notification on a Post Investigation Resident Notification form and uploading that form in the New World Jail Management System.</p> <p>Site Observation:</p> <p>Review of investigations demonstrated inmates reporting sexual abuse were not notified of outcomes of investigations or when required by standard provisions.</p>

Action Plan:

- Notification staff to complete training regarding reporting to inmates.
- Training documentation to be uploaded to the supplemental files.
- Assistant Jail Commander to write a memorandum providing a sustainable action to ensure all provisions are completed as described in this standard. (who will do what, when for ongoing quality assurance.)
- Upload the memorandum to the supplemental files.

Post audit the facility provided a Missoula County Detention Center Memorandum, Subject: 115.73 Reporting to Inmates, stating, "Following an investigation into an inmate's sexual abuse allegation, the PREA coordinator will inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The PREA coordinator will ordinarily use MCDF's Post-Investigation Inmate Notification form 115.73.

Following an inmate's allegation that a staff member has committed sexual abuse against an inmate, the PREA Coordinator shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever: the staff member is no longer posted within the inmate's unit; or the staff member is no longer employed at the facility; or the agency learns the staff member has been indicted on a charge related to sexual abuse within the facility; or the agency learns the staff member has been convicted on a charge related to sexual abuse within the facility.

Following an inmate's allegation of sexual abuse by another inmate, the PREA coordinator shall 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; or the agency learns the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

All such notifications or attempted notifications will be documented by the PREA coordinator in the investigative file.

The facility's obligation to report shall terminate if the inmate is released from custody."

(a) The Missoula County Detention Facility PAQ states the agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency. The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility in the past 12 months was 33. Of the alleged sexual abuse investigations that were completed in the past 12 months, the number of inmates who were notified, verbally or in writing, of the results of the investigation was 33.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 31, section 115.73- Reporting to inmates, Procedure, states, “Staff on Inmate Allegations: Following an investigation into an inmate’s allegation of sexual abuse suffered at the MCDF, the inmate will be informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. If the investigation was completed by the Missoula County Sheriff’s Department, MCDF will request the relevant information in order to inform the inmate. Following an inmate’s allegation that a staff member has committed sexual abuse against the inmate, MCDF will inform the inmate (unless the program has determined that the allegation is unfounded) whenever: The staff member is no longer posted within the inmate’s unit; The staff member is no longer employed at MCDF; The staff member has been indicted on a charge related to sexual abuse within MCDF; or The staff member has been convicted on a charge related to sexual abuse within MCDF.

Inmate on Inmate Allegations: Following an inmate’s allegation that he or she has been sexually abused by another inmate, MCDF will inform the alleged victim whenever: The alleged abuser has been indicted on a charge related to sexual abuse within MCDF; or The alleged abuser has been convicted on a charge related to sexual abuse within MCDF. All such notifications or attempted notifications shall be provided to the inmate in writing on a “Post Allegation Inmate Notification Response Form” by the PREA Compliance Coordinator (or designee) and be kept in the inmate’s file.

Note: Obligation to report outcomes to the inmate shall terminate if the inmate is released from the agency.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 31, section 115.73- Reporting to inmates, Policy, states, “To ensure agencies increase the likelihood that inmates will report incidents of sexual abuse, by ensuring that their reports will be taken seriously and fully investigated. Inmates may not be aware of the steps MCDF will take to address a report of sexual abuse, and informing inmates of the results of investigations will, at a minimum, let the inmate know that the report

has been addressed and investigated.

Following an investigation into an inmate's allegation that he or she suffered sexual abuse in a MCDF facility, MCDF shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

If MCDF did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.

All notifications or attempted notification shall be documented."

(b) The Missoula County Detention Facility PAQ states if an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the Inmate as to the outcome of the investigation. This provision is not applicable as the agency conducts criminal investigations.

(c) The Missoula County Detention Facility PAQ states following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency/facility subsequently does inform the Inmate (unless the agency has determined that the allegation is unfounded) whenever:

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

PAQ states, "Notification started when PREA policy was implemented."

There has not been a substantiated or unsubstantiated complaint (i.e., not unfounded) of sexual abuse committed by a staff member against an inmate in an agency facility in the past 12 months.

Policy compliance can be found in provision (a) of this standard.

The facility provided a Missoula County Detention Facility PREA Post Investigation

Resident Notification. This notification documents the following:

- Recipient of Notice/Date of Notification
- Nature of Allegation
- Allegation Category
- Name of Agency if investigation included outside agency
- Date Investigation began and ended
- Finding of investigation
- Sanction imposed - unless unfounded
- Suspect (staff or resident) removed from Resident's unit
- Staff Suspect no longer employed
- Resident Suspect no longer in program
- Suspect (staff or Resident) indicted
- Suspect (staff or Resident) convicted
- Resident Signature/Date/Time
- Unit Manager printed name/signature/date
- PREA Coordinator printed name/signature/date

(d) The Missoula County Detention Facility PAQ states following an inmate's allegation that he or she has been sexually abused by another Inmate in an agency facility, the agency subsequently informs the alleged victim whenever: the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. Policy compliance can be found in provision (a) of this standard.

(e) The Missoula County Detention Facility PAQ states the agency has a policy that all notifications to inmates described under this standard are documented. In the past 12 months, there has been 33 notifications to an inmate, pursuant to this standard. Of those notifications made in the past 12 months, the number that were documented was 33.

Through such reviews, the facility meets the standard requirements.

115.76	Disciplinary sanctions for staff
	<p data-bbox="256 188 959 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 544 297">Auditor Discussion</p> <p data-bbox="256 340 523 374">Document Review:</p> <ol data-bbox="256 412 1422 557" style="list-style-type: none"> <li data-bbox="256 412 884 445">1. Missoula County Detention Facility PAQ <li data-bbox="256 483 1422 557">2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p data-bbox="256 669 416 703">Interviews:</p> <ol data-bbox="256 741 469 775" style="list-style-type: none"> <li data-bbox="256 741 469 775">1. Captain <p data-bbox="256 813 1474 969">Interview with the Captain demonstrated employees alleged to have been involved in sexual harassment or sexual abuse would be removed from the area and or facility until the investigation was completed. The Captain added retaliation monitoring would begin once an allegation of abuse was received.</p> <p data-bbox="256 1081 504 1115">Site Observation:</p> <p data-bbox="256 1153 1402 1227">In the last 12 months, the facility did not have any staff in violation of an agency sexual harassment or sexual abuse policy.</p> <p data-bbox="256 1339 1469 1456">(a) The Missoula County Detention Facility PAQ states staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.</p> <p data-bbox="256 1565 1433 1639">Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 32, section</p> <p data-bbox="256 1680 1442 1796">115.76- Disciplinary sanctions for staff, Procedure, states, “Any MCDF staff member under investigation for sexual abuse will be placed on administrative leave pending the investigation to eliminate contact between the inmate and the abuser.”</p> <p data-bbox="256 1908 1433 1982">Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 32, section</p> <p data-bbox="256 2022 1426 2056">115.76- Disciplinary sanctions for staff, Policy (a), states, “To protect inmates from</p>

staff sexual abuse and sexual harassment, and to hold staff accountable for violating MCDF sexual abuse or sexual harassment policies.

(a) Staff shall be subject to disciplinary sanctions up to and including termination for violating MCDF sexual abuse or sexual harassment policies.

(b) The Missoula County Detention Facility PAQ states in the last 12 months, there has been zero staff from the facility that had violated agency sexual abuse or sexual harassment policies.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 32, section

115.76- Disciplinary sanctions for staff, Policy (b), states, “Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.”

(c) The Missoula County Detention Facility PAQ states disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. In the past 12 months there have zero staff requiring discipline for sexual abuse or sexual harassment.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 32, section

115.76- Disciplinary sanctions for staff, Policy (c), states, “Disciplinary sanctions for violations of MCDF policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.”

(d) The Missoula County Detention Facility PAQ states all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. In the past 12 months, zero staff have been terminated for sexual abuse or harassment.

	<p>Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 32, section</p> <p>115.76- Disciplinary sanctions for staff, Policy (d), states, “All terminations for violations of MCDF sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.”</p> <p>Through such reviews, the facility met this standards requirements.</p>
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115.77 Corrective action for contractors and volunteers	
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, 6.8.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Captain <p>The interview with the Captain demonstrated any volunteer or contractor who engaged in sexual harassment or sexual abuse would be removed from the facility and reported to law enforcement.</p> <p>Site Observation:</p> <p>In the last 12 months, the facility did not have any volunteer or contractor in violation of an agency sexual harassment or sexual abuse policy.</p> <p>(a) The Missoula County Detention Facility PAQ states agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. Agency policy requires that any contractor or volunteer who</p>

engages in sexual abuse be prohibited from contact with Inmates. In the past 12 months, there have been zero contractors or volunteers reported to law enforcement or relevant licensing bodies for engaging in sexual abuse of Inmates.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 32, section 115.77- Corrective action for contractors and volunteers, Procedure, states, “Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies and to any relevant licensing bodies unless the activity was clearly not criminal. MCDF will take appropriate corrective measures and will consider whether to prohibit further contact with inmate, in the case of any violations of MCDF sexual abuse or sexual harassment policies by a contractor or volunteer.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 32, section 115.77- Corrective action for contractors and volunteers, Policy, states, “To protect inmates from sexual abuse and sexual harassment from contractors and volunteers, and to hold contractors and volunteers accountable for violating MCDF sexual abuse or sexual harassment policies. Consistent and meaningful corrective actions demonstrate MCDF’s commitment to sexual safety, and ensure that contractors and volunteers follow agency policies, thus deterring sexual abuse and sexual harassment of inmates in the facility.”

(b) The Missoula County Detention Facility PAQ states the facility takes appropriate remedial measures and considers whether to prohibit further contact with Inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. Policy compliance can be found in provision (a) of this standard.

Through such reviews, the facility meets the standard requirements.

115.78 Disciplinary sanctions for inmates	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:
	1. Missoula County Detention Facility PAQ
	2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility,

dated 4.2023

Interviews:

1. Captain

Interviews with the Captain demonstrated inmates who falsely reported PREA allegations would be disciplined in accordance with the code of conduct found in the inmate handbook.

(a-c) The Missoula County Detention Facility PAQ states inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. Inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. In the past 12 months there have been five administrative findings of inmate-on-inmate sexual abuse have occurred at the facility. In the past 12 months there has been zero criminal findings of guilt for inmate-on-inmate sexual abuse, occurring at the facility.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 33, section 115.78- Interventions and disciplinary sanctions for inmates, Policy, states, “MCDF promotes a safe environment with established rules that are designed to protect the inmate and staff. Inmates shall understand the program rules, as well as the consequences for not meeting them. Rule violations shall be addressed through a consistent and fair process as outlined in the Inmate Information and Rule Book.

An inmate 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.

Any disciplinary 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.

The disciplinary process shall consider whether an inmate’s mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

MCDF will discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

MCDF will not issue disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.

All sexual activity between inmates is prohibited and may result in Level 2 disciplinary action as outlined in the Inmate Information and Rule Book (series #4203)."

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 32-33, section 115.78- Interventions and disciplinary sanctions for inmates, Procedure, states, "To ensure that inmates are held accountable for inmate-on-inmate sexual abuse through a formal disciplinary process that provides appropriate and measured sanctions commensurate with the nature and circumstances of the abuse, the inmate's disciplinary history and sanctions imposed for comparable offenses by inmates with similar histories. Imposing consistent disciplinary sanctions demonstrates MCDF's commitment to sexual safety and helps deter sexual abuse. The disciplinary process considers factors such as mental capacity, intent, and what resources or supports can be offered to the inmate abuser to support rehabilitation.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 32, section 115.78- Interventions and disciplinary sanctions for inmates, Procedure, second paragraph, states, "An inmate 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."

(d) The Missoula County Detention Facility PAQ states the facility does offer therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse. However, the facility does not require participation as a condition of access to programming or other benefits.

(e) The Missoula County Detention Facility PAQ states the agency disciplines inmates for sexual contact with staff only upon finding that the staff member did not consent to such contact. Policy compliance can be found in provisions (a-c) of this standard.

	<p>(f) The Missoula County Detention Facility PAQ states the agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.</p> <p>(g) The Missoula County Detention Facility PAQ states the agency prohibits all sexual activity between Inmates. If the agency prohibits all sexual activity between inmates and disciplines inmates for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced. Policy compliance can be found in provisions (a-c) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility 14 Day Mental Health Tracker, dated 6.2.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Targeted Inmates 2. Detention Officers 3. Director of Operations – Medical contractor <p>Interviews with inmates who disclosed prior sexual victimization demonstrated each were offered mental health services upon their disclosure of past sexual victimization.</p> <p>Interviews with facility personnel demonstrated disclosure reports are reported to mental health and medical upon completion of risk assessments where past</p>

victimization or aggression had taken place, if the inmate accepts the offer of mental health services.

The interview with the Director of Operations demonstrated the medical and mental health staff receive referrals from intake staff and respond to those referrals within three business days.

Site Observation:

A review of inmate files demonstrated disclosures are documented and follow up medical and or mental health appointments were offered and documented.

(a, c) The Missoula County Detention Facility PAQ states all Inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.41 are offered a follow-up meeting with a medical or mental health practitioner. Follow up meetings are offered within 14 days of the intake screening. In the past 12 months 100% of inmates who disclosed prior victimization during the intake screening were offered a follow-up meeting with a medical or mental health provider. Medical and mental health staff maintain secondary materials, documenting compliance with the above required services.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 34, section 115.81- Medical and mental health screenings; History of sexual abuse; Information Management, Policy, states, “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, MCDF shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

If the screening pursuant to § 115.41 indicates that an inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, MCDF shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.

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, MCDF shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

Any information related to sexual victimization or abusiveness that occurred in an institutional setting will be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.

Medical and mental health practitioners shall 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.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 33-34, section 115.81- Medical and mental health screenings; History of sexual abuse; Information Management, Procedure, states, “To require MCDF to timely address any medical, mental health, or security needs concerning inmates who have experienced or perpetrated prior sexual abuse, either in a confinement setting or in the community. Identifying and offering treatment to inmates with prior victimization is intended to address immediate mental health needs. Identifying and offering a follow-up meeting with a mental health practitioner to prior abusers has the potential to reduce future incidents of sexual abuse and create an improved overall sense of safety within MCDF.

To ensure that MCDF receives information related to sexual victimization or abusiveness that occurred in an institutional setting limits access to those individuals with a need to know and ensures informed consent regarding the release of information about prior sexual victimization in the community. Protecting the confidentiality of inmate information is essential to increase inmate confidence and trust in the system of reporting, investigation, and treatment.”

The facility provided a Missoula County Detention Facility 14 Day Mental Health Tracker. This form documents the following.

1. Inmate Name
2. Inmate Number
3. Victim or Aggressor
4. Booking Date
5. Referral Date/Time
6. Referral type: Medical or Risk Assessment
7. Date/Time Met with Therapist

	<p>8. Therapist</p> <p>(b) The Missoula County Detention Facility PAQ states all Inmates who have previously perpetrated sexual abuse, as indicated during the screening pursuant to § 115.41, are offered a follow-up meeting with a mental health practitioner. All Inmates are allowed a follow-up meeting offered within 14 days of the intake screening. This provision is not applicable as the facility is a jail.</p> <p>(d) The Missoula County Detention Facility PAQ states, information related to sexual victimization or abusiveness that occurred in an institutional setting is not strictly limited to medical and mental health practitioners. Policy compliance can be found in provision (a) of this standard.</p> <p>(e) The Missoula County Detention Facility PAQ states medical and mental health practitioners do obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institution setting unless the inmate is under the age of 18. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility Emergency Mental Health & Medical Treatment Tracker, not dated <p>Interviews:</p>

1. Detention Officers
2. Corporal
3. RN, Director of Operations – Medical contractor
4. Under Sheriff

Interviews with facility personnel demonstrated each are aware of access to emergency medical and mental health services. Staff interviewed stated medical and mental health staff would be notified upon receipt of an allegation of sexual abuse.

The interview with the Director of Operations demonstrated her staff would provide services to First Step as soon as agency criminal investigators have collect forensic evidence from the victim.

The interview with the Under Sheriff demonstrated he has a team of criminal investigators who take turns being on call 24 hours a day, seven days a week. The Under Sheriff stated a criminal investigator would immediately report to the facility upon receipt of an allegation of sexual abuse.

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

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 34, section 115.82- Inmate access to emergency medical and mental health services, Policy, states, “Victims of sexual assault in a facility will have access to emergency medical and mental health services.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 34, section 115.82- Inmate access to emergency medical and mental health services, Procedure, states, “

Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and will immediately notify the appropriate medical and mental health practitioners.

Inmate victims of sexual abuse while incarcerated will be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.

Mental health and medical services 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.

A written MOU has been established for outside services for emergency medical and mental health services.”

The facility provided a Missoula County Detention Facility Emergency Mental Health & Medical Treatment Tracker. This form documents the following.

- Inmate Name
- Inmate Number
- Victim or Aggressor
- Incident Date
- Provided Victim Advocate
- Mental Health and Medical – Indicate if seen by MCDF staff or transported to 1st Step and /or St. Pat’s Hospital for SANE/SAFE

(c) The Missoula County Detention Facility PAQ states Inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to

	<p>emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. Policy compliance can be found in provision (a/b) of this standard.</p> <p>(d) The Missoula County Detention Facility PAQ states Treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Policy compliance can be found in provision (a/b) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. RN, Director of Operations – Medical contractor <p>The interview with the Director of Operations stated youth returning from a SANE would be evaluated within the hour upon return and a continuum of care would begin at that time.</p> <p>(a-c) The Missoula County Detention Facility PAQ states the facility offers medical and mental health evaluation and, as appropriate, treatment to all Inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.</p> <p>Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 35, section 115.83- Ongoing Medical and Mental Health Care for Sexual Abuse Victims</p>

and Abusers; Victim Services, Policy (a)-(c), states, "To ensure that an inmate who has experienced sexual abuse in any confinement setting is offered treatment services.

a. MCDF will offer medical and mental health evaluations and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.

b. Treatment of sexual abuse victims will include, follow-up services, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from MCDF.

c. The treatment services will be consistent with the community level of care."

(d-e) The Missoula County Detention Facility PAQ states female victims of sexual abusive vaginal penetration while incarcerated are offered pregnancy tests.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 35, section 115.83- Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers; Victim Services, Policy (d)(e), state,

(d) Victims of sexually abusive vaginal penetration while at MCDF will be offered pregnancy tests. If pregnancy is detected, victims will receive information about and timely access to all lawful pregnancy- related medical services.

(e) Victims of sexual abuse while at MCDF will be offered tests for sexually transmitted infections as medically appropriate.

(f) The Missoula County Detention Facility PAQ states Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.

Missoula County Detention Facility PREA Policy and Procedure - Adult Facility, page 35, section 115.83- Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers; Victim Services, Policy (e), states, "Victims of sexual abuse while at MCDF will be offered tests for sexually transmitted infections as medically appropriate."

(g) The Missoula County Detention Facility PAQ states treatment services are 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.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 35, section 115.83- Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers; Victim Services, Policy (f), states, “Treatment services 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. MCDF will attempt to conduct a mental health evaluation for 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. “

(h) The Missoula County Detention Facility PAQ states if the facility is a prison, it attempts to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners. This provision is not applicable as the facility is a jail.

Through such reviews of the Medical and Mental Health Department completing an evaluation of services within one hour of a victims’ return from a SANE exam to begin a continuum of services, the facility exceeds the standard requirements.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion Document Review: 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. Missoula County Detention Facility PREA Administrative & Response Review Form, dated 6.9.2022 4. Missoula County Detention Facility PREA Investigation Recommendation and Implementation Form, dated 4.1.2022 5. Post Audit: Missoula County Detention Facility Memorandum, Subject: 115.86, dated 7.12.2023

Interviews:

1. PREA Coordinator
2. Captain
3. Assistant Jail Commander

The team on-site were aware of the requirements to document and safeguard investigations. And stated incident reviews are completed by the facility with follow up by the administrative team to ensure recommendations are implemented.

Observation:

Review of investigations demonstrated sexual abuse incident reviews were not completed after a sexual abuse investigation was completed.

Action Plan:

- Assistant Jail Commander to write a memorandum providing a sustainable action to ensure all provisions are completed as described in this standard. (who will do what, when for ongoing quality assurance.)
- Upload the memorandum to the supplemental files.

Post audit the facility provided a Missoula County Detention Facility Memorandum, Subject: 115.86 Sexual Abuse Incident Reviews, stating, "MCDF will conduct a sexual abuse incident review at the conclusion of every substantiated and unsubstantiated sexual abuse investigation. An incident review is not necessary if the allegation has been determined to be unfounded. Incident review will occur within 30 days of the conclusion of a sexual abuse investigation.

The review team will include members of MCDF Administration and the PREA Coordinator with input when applicable from Unit Managers, Classification officers, Shift Supervisors, and medical or mental health practitioners.

A report of findings and any recommendations for improvement will be documented by the PREA Coordinator. MCDF shall implement recommendations for improvement or document its reasons for not doing so and provide documentation to the PREA coordinator, who will attach all incident review documentation to the investigative

file.”

(a) The Missoula County Detention Facility PAQ states the facility conducts a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse investigation, unless the allegation has been determined to be unfounded. In the past 12 months there has been 33 administrative investigations of alleged sexual abuse completed at the facility, The PAQ states, “Incident Review is completed by high level administrators and is documented in the incident report in facility's New World software.”

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 35, section 115.86- Sexual abuse incident reviews, Policy, states, “At the conclusion of every sexual abuse investigation, an incident review will be completed to evaluate whether any changes in policy or practice at the facility need to be made. The incident review process is intended to allow the facility to identify systemic problems in policies, practices, dynamics, physical barriers, staffing levels, and monitoring what may have contributed to an incident or allegation of sexual abuse, so that the facility can improve conditions to avoid future incidents of allegations.”

(b) The Missoula County Detention Facility PAQ states sexual abuse incident reviews are ordinarily conducted within 30 days of concluding the criminal or administrative investigation. In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only "unfounded" incidents was 28.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 36, section 115.86- Sexual abuse incident reviews, Procedure first paragraph, states, “Within 30 days of the conclusion of the sexual abuse investigation, the PREA Compliance Coordinator will conduct a sexual abuse incident review utilizing the MCDF Administrative & Response Review Form.

The review team will include upper-level management officials with input from Unit Managers, investigators, and medical or mental health practitioners.

The PREA Compliance Coordinator and the review team will; consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; consider whether the incident or

allegation was motivated by 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 program; examine the area of the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and Prepare a report of its findings.

MCDF will implement the recommendations for improvement or document the reasons for not making changes.”

The facility provided a Missoula County Detention Facility PREA Administrative & Response Review Form. This form documents the following.

1. Victims Name
2. Allegation Type
3. Date of Incident
4. At the time of the incident, did staffing levels meet required ratio?
5. If yes, was staffing sufficient?
6. Did incident involve new staff (within 120 days of hire)?
7. If yes, had new staff received all training (including adequate on the job training/shadowing?)
8. Was veteran staff current on training?
9. At the time of the incident, was staff in their assigned area?
10. Were inmates in assigned area?
11. Were there any physical barriers to supervision (outside of line of sight, closed door, etc.)?
12. Any other factors not addressed above?
13. Was the scheduled activity taking place?
14. Did Inmate Risk Assessments take place at intake (Including documentation in file)?
15. Were room assignments appropriate?
16. Has the alleged perpetrator previously been identified as a potential threat to others?

17. If yes, was any action taken (prior to the incident) to reduce potential threat?
18. Were any policies not followed at the time of the incident?
19. Did the alleged incident take place in an area under video surveillance?
20. If yes, were cameras working?
21. Is there any indication the incident was motivated by race, ethnicity, gender identity, LGBTQI identification, status or perceived status or gang affiliation?
22. Is there any indication the incident was motivated by any other group dynamics at the facility?
23. Is there a need for a Recommendations & Implementation plan?
24. If yes, were they documented and attached to this form?
25. Date incident was reviewed at Missoula County Detention Facility
26. Administrative Team Members Present
27. Commander Signature and date/PREA Compliance Coordinator signature and date

(c) The Missoula County Detention Facility PAQ states the sexual abuse incident review team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners. Policy compliance can be found in provision (b) of this standard.

(d) The Missoula County Detention Facility PAQ states the facility prepares a report of its findings from sexual abuse incident reviews, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1) -(d)(5) of this section, and any recommendations for improvement and submits such report to the facility head and PREA Coordinator. Policy compliance can be found in provision (b) of this standard.

(e) The Missoula County Detention Facility PAQ states, the facility implements the recommendations for improvement or documents its reasons for not doing so. Policy compliance can be found in provision (b) of this standard.

The facility provided a Missoula County Detention Facility PREA Investigation Recommendation and Implementation Form. This form documents the following.

	<ul style="list-style-type: none"> · Facility · Date of Incident · Today's Date · Attendees · Description of System Issue / Policy Violation (include policy number) · Recommendations & Implementation Steps: Specific step, whose responsible. Time for completion · Commander and PREA Compliance Coordinator signature and date <p>Through such reviews, the facility meets the standard requirements.</p>
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115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 3. 2023 PREA Annual Report, Missoula County Juvenile Detention Facility 4. Incident Tracking Form <p>(a)/(c)-1,2</p> <p>The Missoula County Detention Facility PAQ states the agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.</p> <p>Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page</p>

36, section 115.87- Data collection, Policy, states, "To ensure that agencies collect uniform data on how many allegations of sexual abuse are made at its facilities, the type of sexual abuse alleged, and how the allegations were resolved. Collecting this data and comparing the data annually can reveal trends or changes in facility sexual safety. The standard envisions sharing of the data annually with the Department of Justice to increase the knowledge of the prevalence of sexual abuse in correctional facilities. Additionally, increasing the available data and information on the incidence of sexual abuse consequently improves the agency and facility management."

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 36, section 115.87- Data collection, Procedure, states, "MCDF will collect accurate, uniform data for every allegation of sexual abuse in the facility. The PREA Compliance Coordinator will maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Data collected by site PREA Compliance Coordinator shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. The PREA Compliance Coordinator will aggregate the incident-based sexual abuse data at least annually. Upon request, MCDF will provide all such data from the previous calendar year to the Department of Justice no later than June 30."

The facility provided a 2023 PREA Annual Report, Missoula County Juvenile Detention Facility. The report documents the following information.

- Year in Review: Aggregated Data
 - o Allegations
 - o Investigations
 - o Breakdown
- Missoula County PREA Goals and Values
 - o Prevention
 - o Policies and Practices
 - o Investigations and Response
- Missoula County's Commitment to Values
 - o Culture and Community
 - o Inmate Support
 - o Better Practices

- Analysis
 - o Comparisons
 - o Progress Made
 - o Analysis
- Resources

The report is signed by the Under Sheriff.

(b) The Missoula County Detention Facility PAQ states The annual report includes a comparison of the current year's data and corrective action from prior years. The PAQ states, "First annual data aggregation will be completed at the end of the current fiscal year (end of June 2023)."

(d) The Missoula County Detention Facility PAQ states the agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

The facility provided an Incident Tracking form. The form compiles the following information.

- PREA Incident #
- Date Reported
- Alleged Victim / Global #
- Global # / Alleged Abuser
- Offered Medical/MH
- Date closed
- Determination
- Retaliation Monitoring
- Start Date / End Date
- Staff Action Review
- Victim Notified
- Case Review Date

	<ul style="list-style-type: none"> · Reporting Method · Previous Complaints from Perpetrator · Inmates Separated · Evidence Collection / SANE / SAFE · Notes <p>(e) The Missoula County Detention Facility PAQ states N/A as the agency does not contract with private facilities. This provision is not applicable as the agency does not contract with private facilities.</p> <p>(f) The Missoula County Detention Facility PAQ states the Department of Justice has requested agency data for the previous calendar year.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p>(a) The Missoula County Detention Facility PAQ states the agency reviews data collected and aggregated pursuant to §115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training, including:</p> <ul style="list-style-type: none"> · Identifying problem areas; · Taking corrective action on an ongoing basis; and · Preparing an annual report of its findings from its data review and any

corrective actions for each facility, as well as the agency as a whole.

The facility will begin this process in 2023 once a full year of data is compiled.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 36-37, section 115.88- Data review for corrective action, Policy, states, “To ensure that required sexual abuse data is used to identify problem areas, and to take ongoing corrective action to improve the prevention, detection and response policies and practices of the facility and agency.

To require MCDF to prepare an annual report for their facility and for the agency as a whole on the prevalence of sexual abuse and to provide this report to the public through the agency website or other means thus ensuring transparency. Comparing the current year’s data with data from prior years and providing an assessment of the agency’s progress promotes agency accountability.”

(b) The Missoula County Detention Facility PAQ states the annual report includes a comparison of the current year’s data and corrective actions to those from prior years. The annual report provides an assessment of the agency’s progress in addressing sexual abuse.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 37, section 115.88- Data review for corrective action, Procedure states, “MCDF will 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. Data reviewed will include the following: identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each program, as well as the organization as a whole.

The report will include a comparison of the current year’s data and corrective actions with those from prior years and shall provide an assessment of the organization’s progress in addressing sexual abuse. MCDF’s report shall be approved by the Commander and made readily available to the public through the website.

MCDF may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a program but must indicate the nature of the material redacted.”

	<p>(c) The Missoula County Detention Facility PAQ states the agency makes its annual report readily available to the public, at least annually, through its website. Annual reports are approved by the agency head. The following is the agency website where the annual reports will be located is https://www.missoulacounty.us/government/public-safety/detention-facility</p> <p>(d) The Missoula County Detention Facility PAQ states when the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility. Policy compliance can be found in provision (b) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Missoula County Detention Facility PAQ 2. Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, dated 4.2023 <p>(a) The Missoula County Detention Facility PAQ states the agency ensures that incident-based and aggregate data are securely retained.</p> <p>Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 37, section</p> <p>115.89- Data storage, publication, and destruction, Policy, states, “To ensure that sexual abuse data is published appropriately for transparency while ensuring the safe storage of data to protect confidentiality, and to ensure that data is not destroyed prematurely. To inform the public about the levels of sexual abuse experienced by people in confinement and raise awareness of the issue, while also protecting the privacy of inmates who have been sexually abused.”</p>

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 37, section

115.89- Data storage, publication, and destruction, Procedure, states, “MCDF will ensure that data collected pursuant to § 115.87 is securely retained for at least 10 years after the date of its initial collection unless Federal, State, or local laws require otherwise. Hard copies of data are secured at the facility in either the Human Resources office or the PREA Compliance Coordinator’s office.

The electronic data is securely retained with access limited to the PREA Compliance Coordinator, and upper-level Administration.

MCDF will make all aggregated sexual abuse data, from programs under its direct control readily available to the public at least annually through its website.

Before making aggregated sexual abuse data publicly available, MCDF will remove all personal identifiers.”

(b) The Missoula County Detention Facility PAQ states agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website.

Missoula County Detention Facility PREA Policy and Procedure – Adult Facility, page 37, section

115.89- Data storage, publication, and destruction, Procedure, third paragraph, states, “MCDF will make all aggregated sexual abuse data, from programs under its direct control readily available to the public at least annually through its website. “

(c) The Missoula County Detention Facility PAQ states before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers. Policy compliance can be found in provision (b) of this standard.)

Through such reviews, the facility meets the standard requirements.

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(a) During the prior three-year audit period, the agency ensured that each facility operated was audited, once.</p> <p>(b) This is the second audit cycle for Missoula County Detention Center and the first year of the fourth audit cycle.</p> <p>(c) The Auditor was granted complete access to, and the ability to observe, all areas of the facility.</p> <p>(d) The Auditor was permitted to request and receive copies of any relevant documents (including electronically stored information).</p> <p>(e) The Auditor was permitted to conduct private interviews with residents.</p> <p>(f) Inmates were permitted to send confidential information or correspondence to the Auditor in the same manner as if they were communicating with legal counsel.</p> <p>Through such reviews, the facility meets the standards requirements.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(b) The agency has posted the current 2022 PREA audit report, on their website.</p> <p>Through such reviews, the facility meets the standards requirements.</p>

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

	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.)	
115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into	yes

	consideration: Any applicable State or local laws, regulations, or standards?	
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

115.14 (a)	Youthful inmates	
	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
115.14 (b)	Youthful inmates	
	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
	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
115.14 (c)	Youthful inmates	
	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
	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
	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
115.15 (a)	Limits to cross-gender viewing and searches	
	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
115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the	yes

	facility does not have female inmates.)	
115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes
115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication	yes

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	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
115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who	yes

	may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	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.)	na
115.18 (b)	Upgrades to facilities and technologies	

	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
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes

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

	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes

	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	no
115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	

	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
115.32 (b)	Volunteer and contractor training	
	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
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes

	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes
115.33 (d)	Inmate education	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes
115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
115.33 (f)	Inmate education	
	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
115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and	yes

	Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or	yes

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

	screening instrument?	
115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10)	yes

	Whether the inmate is detained solely for civil immigration purposes?	
115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	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
115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	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
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive	yes

	information is not exploited to the inmate's detriment by staff or other inmates?	
115.42 (a) Use of screening information		
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b) Use of screening information		
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c) Use of screening information		
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would	yes

	present management or security problems?	
115.42 (d)	Use of screening information	
	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
115.42 (e)	Use of screening information	
	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
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing	yes

	solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	
115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes
115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
115.43 (c)	Protective Custody	

	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d) Protective Custody		
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e) Protective Custody		
	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
115.51 (a) Inmate reporting		
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.51 (b) Inmate reporting		
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain	yes

	anonymous upon request?	
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address 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
115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	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	yes

	this standard.)	
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	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
115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
115.52 (f)	Exhaustion of administrative remedies	

	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	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
115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers,	na

	including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
115.53 (b)	Inmate access to outside confidential support services	
	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
115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual	yes

	abuse or sexual harassment or retaliation?	
115.61 (b)	Staff and agency reporting duties	
	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
115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
115.62 (a)	Agency protection duties	
	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
115.63 (a)	Reporting to other confinement facilities	
	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
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in	yes

	response to an incident of sexual abuse?	
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	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
115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of	yes

	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?	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	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
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations	yes

	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).)	
	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
115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes

	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	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
115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	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

115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	na
115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually	yes

	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?	
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes
115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes

	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	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
115.78 (b)	Disciplinary sanctions for inmates	
	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
115.78 (c)	Disciplinary sanctions for inmates	
	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
115.78 (d)	Disciplinary sanctions for inmates	
	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
115.78 (e)	Disciplinary sanctions for inmates	
	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
115.78 (f)	Disciplinary sanctions for inmates	
	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	yes

	evidence sufficient to substantiate the allegation?	
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	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
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	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.)	na
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	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
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior	yes

	sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	
115.82 (a)	Access to emergency medical and mental health services	
	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
115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.82 (c)	Access to emergency medical and mental health services	
	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
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.83 (c)	Ongoing medical and mental health care for sexual abuse	

	victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na

115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant	yes

	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?	
115.88 (b)	Data review for corrective action	
	Does the agency’s annual report include a comparison of the current year’s data and corrective actions with those from prior years and provide an assessment of the agency’s progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency’s annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	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
115.401 (a)	Frequency and scope of audits	

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

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