

# PREA Facility Audit Report: Final

**Name of Facility:** Dismas Charities Omaha

**Facility Type:** Community Confinement

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 11/02/2021

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" 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 checked="" type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Chris Sweney	<b>Date of Signature:</b> 11/02/2021

AUDITOR INFORMATION	
<b>Auditor name:</b>	Sweney, Chris
<b>Email:</b>	csweney.prea@gmail.com
<b>Start Date of On-Site Audit:</b>	10/11/2021
<b>End Date of On-Site Audit:</b>	10/11/2021

FACILITY INFORMATION	
<b>Facility name:</b>	Dismas Charities Omaha
<b>Facility physical address:</b>	506 Crown Point Ave, Omaha , Nebraska - 68110
<b>Facility Phone</b>	
<b>Facility mailing address:</b>	

Primary Contact	
<b>Name:</b>	Eric Smith
<b>Email Address:</b>	esmith@dismas.com
<b>Telephone Number:</b>	531-444-0445

Facility Director	
<b>Name:</b>	Eric Smith
<b>Email Address:</b>	esmith@dismas.com
<b>Telephone Number:</b>	531-444-0445

- Redacted Material is proprietary information and the release of such is a security threat to and breach of confidentiality of residents and staff.

Facility PREA Compliance Manager	
<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	

Facility Characteristics	
<b>Designed facility capacity:</b>	Redacted
<b>Current population of facility:</b>	Redacted
<b>Average daily population for the past 12 months:</b>	Redacted
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	Both females and males
<b>Age range of population:</b>	21 - 60
<b>Facility security levels/resident custody levels:</b>	Community
<b>Number of staff currently employed at the facility who may have contact with residents:</b>	Redacted
<b>Number of individual contractors who have contact with residents, currently authorized to enter the facility:</b>	Redacted
<b>Number of volunteers who have contact with residents, currently authorized to enter the facility:</b>	Redacted

AGENCY INFORMATION	
<b>Name of agency:</b>	Dismas Charities, Inc.
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	2500 South Seventh Street, Louisville, Kentucky - 40208
<b>Mailing Address:</b>	
<b>Telephone number:</b>	502 636-2033

Agency Chief Executive Officer Information:	
<b>Name:</b>	Jan Kempf, EVP, COO
<b>Email Address:</b>	jkempf@dismas.com
<b>Telephone Number:</b>	(502) 636-2033

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**Agency-Wide PREA Coordinator Information****Name:** Joseph Theriot**Email Address:** jtheriot@dismas.com

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## AUDIT FINDINGS

### Narrative:

The auditor's description of the audit methodology should include a detailed description of the following processes during the pre-audit, on-site audit, and post-audit phases: documents and files reviewed, discussions and types of interviews conducted, number of days spent on-site, observations made during the site-review, and a detailed description of any follow-up work conducted during the post-audit phase. The narrative should describe the techniques the auditor used to sample documentation and select interviewees, and the auditor's process for the site review.

On October 11th, 2021 an audit of the Dismas Charities Inc., Omaha Facility was conducted by Chris Sweney a U.S. Department of Justice Certified PREA Auditor. The audit began with the notification of the on-site audit being posted six weeks prior to the date of the on-site visit. This was the Omaha Facility's third PREA audit; their last audit was finalized 08/15/2019. The notices provided to the facility were posted and verified by photographs received from the Agency PREA Coordinator and were seen during the facility tour. The audit notices explained how to confidentially contact the auditor prior to, during and after the on-site visit. Throughout the entire audit process, the auditor did not receive any communication from staff, residents or the public as outlined in the posted notices. An entrance meeting was held with the Facility Director/PREA Compliance Manager. The on-site audit was discussed, and a roster of residents and staff was provided to the auditor. Following the entrance meeting a tour of the facility was led by the Facility Director. All areas of the facility were viewed including administration areas. PREA related posters, including outside reporting information and how to access outside support services were posted in common and resident living areas. Additionally, informational pamphlets regarding PREA and crisis services are given out during the intake and orientation process for each resident upon arrival at the facility. Emergency medical services are provided at University of Nebraska Medical Center including SAFE/SANE. Forensic examinations would be conducted at no cost to the resident and/or to their family.

Staff interviews were conducted with the Regional Vice President, Agency PREA Coordinator, Facility Director/PREA Compliance Manager, Incident Review Team, BOP PREA Investigator (phone interview), designated staff member responsible for monitoring retaliation, Counselors - interviewed as a random sample of staff and as staff that conducts intake process which includes orientation including PREA, and Resident Monitors. A total of thirteen (13) formal staff interviews were conducted.

Following staff interviews the Facility Director provided a roster of all residents housed at the Omaha Facility. The current population of (Redacted) in-house residents was lower than normal due to Covid related restrictions. During the audit there were no residents that had identified themselves as being gay, lesbian or intersex. Also, there were no residents that were limited English proficient. There was one resident with a physical disability that was interviewed. A total of seventeen (17) formal resident interviews were conducted.

During the past 12 months, there have been two (2) investigations of sexual harassment and/or sexual abuse. Documentation and staff interviews confirmed that all allegations of sexual harassment and/or sexual abuse are referred immediately for investigation. The agency with authority to conduct criminal investigations is the Bureau of Prisons and may include local law enforcement depending on the nature and severity of the allegation. Sexual abuse counseling services can be provided locally by Women's Center for Advancement when needed.

The residents interviewed reported that they had been located in other correctional facilities before coming to the Omaha Facility and had reportedly knew of PREA and felt good regarding the Omaha Facility's intake and orientation to the program, PREA education, and the safety and security of this facility.

Documentation, staff and resident interviews confirmed that all residents do receive information on PREA and their right to be free from sexual abuse and harassment. Documentation, staff and resident interviews confirmed that all residents be assessed for risk of being sexually victimized and/or abusive and the facility uses this information to keep resident's safe. After residents are admitted into the facility they are provided additional information regarding sexual abuse and harassment by their assigned Counselor. Residents who have experienced trauma, abuse, or victimization or upon request are provided additional services as needed.

An exit meeting was held with the Facility Director/PREA Compliance Manager where the auditor gave an overview of the audit and steps going forward.

Following the onsite review, the auditor utilized the Auditor Compliance Tool for Community Confinement as a guide in determining compliance with each standard.

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## AUDIT FINDINGS

### Facility Characteristics:

The auditor's description of the audited facility should include details about the facility type, demographics and size of the inmate or resident population, numbers and type of staff positions, configuration and layout of the facility, numbers of housing units, description of housing units including any special housing units, a description of programs and services, including food service and recreation. The auditor should describe how these details are relevant to PREA implementation and compliance.

Dismas Charities Omaha is a (Redacted) -bed community confinement facility located at 506 Crown Point Ave, Omaha, NE. The facility houses men and women released from the Federal Bureau of Prisons and has a current population of (Redacted) in house. Housing areas are dormitorystyle units with adjacent restrooms that have private toilet and shower areas. Residents have access to a dayroom, dining area and laundry facilities. The average length of stay is for this facility is approximately (Redacted) days. The perimeter and interior of the facility is monitored 24/7 via a close circuit system viewed by Resident Monitors in the Central Monitoring Office. All residents, staff and visitors are required to check in prior to entering the facility.

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## AUDIT FINDINGS

### Summary of Audit Findings:

The OAS will automatically calculate the number of standards exceeded, number of standards met, and the number of standards not met based on the auditor's compliance determinations. If relevant, the auditor should provide the list of standards exceeded and/or the list of standards not met (e.g. Standards Exceeded: 115.xx, 115.xx..., Standards Not Met: 115.yy, 115.yy ). 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.

<b>Number of standards exceeded:</b>	3
<b>Number of standards met:</b>	38
<b>Number of standards not met:</b>	0

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Exceeds Standards:

115.231: Employee training

115.241 Screening for risk of victimization and abusiveness

115.242 Use of screening information

Meets Standard:

115.212 Contracting with other entities for the confinement of residents

115.213 Supervision and monitoring

115.214 Reserved

115.215 Limits to cross-gender viewing and searches

115.216 Residents with disabilities and residents who are limited English proficient

115.217 Hiring and Promotion

115.218 Upgrades to facilities and technologies

115.221 Evidence protocol and forensic medical examinations

115.222 Policies to ensure referrals of allegations for investigations

115.232 Volunteer and contractor training

115.234 Specialized training: Investigations

115.235 Specialized training: Medical and mental health care

115.243 Reserved

115.251 Resident reporting

115.252 Exhaustion of administrative remedies

115.253 Resident access to outside confidential support services

115.254 Third-party reporting

115.261 Staff and agency reporting duties

115.262 Agency protection duties

115.263 Reporting to other confinement facilities

115.264 Staff first responder duties

115.265 Coordinated response

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115.266 Preservation of ability to protect residents from contact with abusers

115.267 Agency protection against retaliation

115.271 Criminal and administrative agency investigations

115.272 Evidentiary standard for administrative investigations

115.273 Reporting to residents

115.277 Corrective action for contractors and volunteers

115.276 Disciplinary sanctions for staff.

115.278 Disciplinary sanctions for residents

115.282 Access to emergency medical and mental health services

115.283 Ongoing medical and mental health care for sexual abuse victims and abusers

115.286 Sexual abuse incident reviews

115.287 Data collection

115.288 Data review for corrective action

115.289 Data storage, publication, and destruction

115.401 Frequency and scope of audits

115.403 Audit contents and findings

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## Standards

### Auditor Overall Determination Definitions

- 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

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.

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115.211	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with this standard:</p> <p>DISMAS Charities Policy #24.1 - SEXUAL ABUSE/HARASSMENT/MISCONDUCT PREVENTION INTERVENTION</p> <p>DISMAS Charities Organizational Chart</p> <p>DISMAS Charities Omaha Facility Organizational Chart</p> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Agency Wide PREA Coordinator Interview</li> <li>2. Omaha Facility Director/PREA Compliance Manager</li> </ol> <p>Site Review Observations:</p> <ol style="list-style-type: none"> <li>1. Observations during on-site review of physical plant <ul style="list-style-type: none"> <li>(a) Dismas Charities, Inc. has an agency wide operating policy (#24.1 - SEXUAL ABUSE/HARASSMENT/MISCONDUCT PREVENTION INTERVENTION) mandating zero tolerance relating to sexual assault, sexual abuse and sexual harassment.</li> <li>(b) Dismas Charities policy discusses their approach to training employees, volunteers and contractors preventing, detecting, and responding to sexual assault, sexual abuse and sexual harassment and addresses the staff's duty to report.</li> <li>(c) Dismas Charities Inc. has a designated agency wide PREA Coordinator who reports to Dismas Charities Executive Vice President/COO. Under the agency wide PREA Coordinator each facility has a Facility Director/PREA Compliance Manager that is responsible PREA Compliance at the facility level.</li> </ul> </li> </ol> <p>Lines of communication between the PREA Compliance Manager, PREA Coordinator and Executive Vice President appear to be open. Dismas Charities Agency PREA Coordinator reported during his interview that he has sufficient time to develop, implement and oversee the facilities efforts to comply with PREA standards.</p> <p>(d) Dismas Charities operates thirty-six (36) facilities across several states. Each facility has a designated PREA Compliance Manager who reports to both their Regional Vice President and the Agency PREA Coordinator. The Omaha Facility's Facility Director is also the designated PREA Compliance Manager.</p> <p>The Omaha Facility's Facility Director/PREA Compliance Manager reported during his interview that he has sufficient time to develop, implement and oversee the facilities efforts to comply with PREA standards.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.212	<b>Contracting with other entities for the confinement of residents</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Dismas Charities, Inc. Omaha Facility is a private not for profit halfway house which contracts with the Federal Bureau of Prison housing residents released from incarceration. Dismas Charities, Inc. Omaha does not contract out for the confinement of its residents.

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115.213	<b>Supervision and monitoring</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities, Inc. PERSONNEL policy STAFFING PATTERN Procedure 2.A</li> <li>2. Dismas Charities, Inc. PERSONNEL policy EMPLOYEE ORIENTATION Procedure 2.3</li> <li>3. Omaha Facility staffing schedule</li> <li>4. Omaha Facility floor plans</li> <li>5. Dismas Charities, Inc. - Omaha Facility Pre-Audit Questionnaire</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Agency Wide PREA Coordinator Interview</li> <li>2. Omaha Facility Director/PREA Compliance Manager</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>Dismas Charities, Inc. Omaha Facility has a staffing plan which accounts for generally accepted practices; The Omaha Facility follows applicable regulations and standards to determine staffing levels. All components of the facility's physical plant, video monitoring system, composition of the resident population and placement of supervisory staff are also considered. Staffing requirements are assessed annually and adjustments are made if necessary. Any changes to the Omaha Facility's staffing levels must be approved by Dismas Charities Executive staff. Documentation, interviews with staff and residents and the facility tour indicates adequate staffing levels. Although the Omaha Facility reported no deviations from their staffing plan, Dismas Charities policy requires the Facility Director to document and report any deviation to Dismas Charities Executive staff.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.215	<b>Limits to cross-gender viewing and searches</b>
	<p data-bbox="245 147 740 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1484 331">Dismas Charities, Inc. - Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1458 676" style="list-style-type: none"> <li>1. Dismas Charities, Inc. PROGRAMS Searches and Contraband Procedure</li> <li>2. Dismas Charities, Inc. SEARCHES AND CONTRABAND</li> <li>3. Dismas Charities, Inc. SECURITY AND ACCOUNTABILITY Searches and Contraband Procedure 11.D</li> <li>4. Dismas Charities, Inc. PERSONNEL policy EMPLOYEE ORIENTATION Procedure 2.3</li> <li>5. Dismas Charities, Inc. Initial Employee Orientation Checklist</li> <li>6. Dismas Charities, Inc. Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention TRAINING Procedure 24.2</li> </ol> <p data-bbox="245 707 357 734">Interviews:</p> <ol data-bbox="245 766 868 1021" style="list-style-type: none"> <li>1. Dismas Charities Agency Wide PREA Coordinator Interview</li> <li>2. Omaha Facility Director/PREA Compliance Manager</li> <li>3. Resident Monitor Interviews</li> <li>4. Food Service Supervisor</li> <li>5. Random Resident Interviews</li> </ol> <p data-bbox="245 1052 517 1079">Site Review Observations:</p> <p data-bbox="245 1111 762 1137">Observations during on-site review of physical plant</p> <p data-bbox="245 1169 1474 1294">The Dismas Charities Omaha Facility does not allow “opposite sex” pat searches or strip searches no body cavity searches. Staff is trained in various searches and search techniques. Dismas Charities policy prohibits searching or physically examining a transgender or intersex resident for the sole purpose of determining the resident’s genital status. This was confirmed during staff interviews.</p> <p data-bbox="245 1326 1481 1451">None of the cameras included toilet or shower areas. All toilets have doors on stalls and all showers have curtains. Both the review of policies and interviews with staff and residents confirmed that opposite gender staff announce their presence when entering into dorms and restrooms. Staff and resident interviews confirmed that this is a common practice. All residents reported being able to use the restroom, take a shower and change clothing with privacy from staff and other residents.</p> <p data-bbox="245 1482 1420 1541">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.216	<b>Residents with disabilities and residents who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Dismas Charities Inc. Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities, Inc. Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention TRAINING Procedure 24.2</li> <li>2. Dismas Charities, Inc. Initial PREA Screening Questionnaire (in English and in Spanish)</li> <li>3. PREA Informational Posters and Brochures (English and Spanish) posted and displayed for resident and staff access in the facility</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Resident Monitor Interviews</li> <li>3. Resident Interviews</li> </ol> <p>Site Review Observations:</p> <ol style="list-style-type: none"> <li>1. Observations during on-site review of physical plant</li> </ol> <p>Dismas Charities and the Omaha Facility both takes steps and have policies which ensures residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The Omaha Facility provides residents an orientation and handouts which are available in English and Spanish. Additionally, the facility has bilingual staff and their PREA posters and pamphlets are available in English and Spanish. During the onsite portion of the audit the Omaha Facility had one resident who was physically disabled, who reported no issues related to PREA or access to areas of the facility. Staff and resident interviews verified no other disabled residents or residents who did not speak English.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.217	<b>Hiring and promotion decisions</b>
	<p data-bbox="245 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1246 448" style="list-style-type: none"> <li data-bbox="245 362 1246 389">1. Dismas Charities, Inc. PERSONNEL policy EMPLOYEE BACKGROUND CHECKS Procedure 2.4</li> <li data-bbox="245 421 932 448">2. Dismas Charities, Inc. POLICY MANUAL-PERSONNEL Page #20</li> </ol> <p data-bbox="245 479 357 506">Interviews:</p> <ol data-bbox="245 537 826 622" style="list-style-type: none"> <li data-bbox="245 537 826 564">1. Facility Director/PREA Compliance Manager Interview</li> <li data-bbox="245 595 651 622">2. Agency PREA Coordinator Interview</li> </ol> <p data-bbox="245 654 517 680">Site Review Observations:</p> <ol data-bbox="245 712 1490 1671" style="list-style-type: none"> <li data-bbox="245 712 1490 1671">1. Observations during on-site review of physical plant <ul data-bbox="245 766 1490 1671" style="list-style-type: none"> <li data-bbox="245 766 1490 927">(a) Dismas Charities Inc. requires background investigations for all new hires as well as for staff being considered for a promotion. <i>Dismas Charities Policy #2.1 PERSONNEL Employee Background Checks states: "Prior to hiring a person, the Director or designee must complete reference checks on past employers, obtain education verification, and obtain a background check from the Kentucky Office of the Courts. If a Federal contract is involved, the Director must get an NCIC/NLETS clearance from the BOP."</i></li> <li data-bbox="245 958 1490 1043">(b) Dismas Charities policy indicates that: <i>"Any incidents of sexual harassment will be taken into consideration when determining whether to hire or promote anyone, or enlist the services of any contractor, who may have contact with residents."</i></li> <li data-bbox="245 1075 1490 1236">(c) Dismas Charities policy states: <i>"Employment reference checks will be conducted not only for outside applicants but for internal applicants as well in order to verify current work records. The hiring manager shall request a review of the employee's personnel file, as well as a review of supervisory counseling, formal and informal, for this purpose."</i> This includes efforts to contact any prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.</li> <li data-bbox="245 1267 1490 1330">(d) Dismas Charities policy requires a criminal background records check before enlisting the services of any contractor who may have contact with residents</li> <li data-bbox="245 1361 1490 1424">(e) Dismas Charities policy requires criminal background records checks every five years of current employees and each year for contractors who may have contact with residents.</li> <li data-bbox="245 1456 1490 1581">(f) Dismas Charities asks all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions nor does Dismas Charities employees about previous misconduct described in paragraph (a) of this section in as part of reviews of current employees.</li> <li data-bbox="245 1612 1490 1671">(g) Dismas Charities policy states <i>"Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination."</i></li> </ul> </li> </ol> <p data-bbox="245 1702 1490 1760">Dismas Charities provides 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.</p> <p data-bbox="245 1792 1490 1850">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.218	<b>Upgrades to facilities and technology</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities, Inc. Omaha Pre-Audit Questionnaire</li> <li>2. Omaha Facility Diagrams</li> <li>3. Facility Tour</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency Wide PREA Coordinator</li> </ol> <p>Site Review Observations:</p> <ol style="list-style-type: none"> <li>1. Observations during on-site review of physical plant <ul style="list-style-type: none"> <li>(a) Dismas Charities policy requires the consideration of any new design, acquisition, expansion, or modification on the agency's ability to protect residents from sexual abuse. During this Audit Period, The Omaha Facility has not designed or acquired any new facility or expanded the existing facility since their last audit.</li> <li>(b) Protection of residents from sexual abuse through the installation of electronic surveillance and other technology is continuously evaluated. During this Audit Period, The Omaha Facility has not added any new electronic surveillance equipment since their last audit in 2018</li> </ul> </li> </ol> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.221	<b>Evidence protocol and forensic medical examinations</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Dismas Charities Inc. Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities, Inc. Omaha Pre-Audit Questionnaire</li> <li>2. BOP CTS Crisis counseling MOU</li> <li>3. Omaha Sexual Assault Center</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> <li>3. Assistant Director</li> <li>4. Resident Monitors</li> <li>5. Bureau of Prisons Investigator</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant:</p> <p>(a) Dismas Charities is responsible for administrative investigations, all investigations which may result in criminal charges are reported to local law enforcement and/or the Bureau of Prisons (BOP). Both follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence. Random staff interviews confirm staff are trained and understand their responsibilities to preserve, collect and properly handle evidence.</p> <p>(b) Dismas Charities Omaha Facility is an adult only facility.</p> <p>(c) Dismas Charities Omaha Facility offers all victims of sexual abuse access to forensic medical examinations at an outside facility, without financial cost, where evidentiary or medically appropriate. Interviews with the Facility Director/PREA Compliance Manager and Medical staff reiterated that all victims of sexual abuse are offered forensic examinations. Forensic medical examinations are completed at University of Nebraska Medical Center by qualified Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).</p> <p>(d) Dismas Charities Omaha has an MOU with the BOP CTS Crisis counseling and utilizes the to provide victims of abuse with a victim advocate.</p> <p>(e) Interviews conducted with the Facility Director/PREA Compliance Manager and Medical staff reiterated that as requested by the victim, victim advocate, agency staff member, or community-based organization the victim will receive support through the forensic medical examination process and investigatory interviews. The victim advocate may also provide on-going emotional support, crisis intervention, and referrals for other services</p> <p>(f) Dismas Charities is responsible for administrative investigations, all investigations which may result in criminal charges are reported local law enforcement and/or the Bureau of Prisons (BOP).</p> <p>(g) The auditor is not required to audit this provision</p> <p>(h) This provision is Not Applicable; Dismas Charities Omaha facility refers these services to the <u>Women's Center for Advancement</u> for access to a victim advocate.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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

- Redacted Material is proprietary information and the release of such is a security threat to and breach of confidentiality of residents and staff.

Dismas Charities Inc., Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:

1. Dismas Charities, Inc., Omaha Pre-Audit Questionnaire
2. SEXUAL OFFENSE ALLEGATION REPORTING FORMS-CCP14.7
3. Dismas Charities Website - <http://www.Dismas.com/about/prea>

Interviews:

1. Facility Director/PREA Compliance Manager
2. Agency PREA Coordinator
3. Assistant Director
4. Resident Monitors
5. Bureau of Prisons Investigator

Site Review Observations:

Observations during on-site review of physical plant

(a) Dismas Charities policy ensures all allegations of sexual abuse and sexual harassment are immediately investigated. Allegations that appear to be criminal in nature are forwarded to the Bureau of Prisons for investigation. Dismas Charities PREA policy including who is responsible for investigations can be found on their website (<http://www.Dismas.com/about/prea/>). Interviews conducted with the Facility Director/PREA Compliance Manager and the Agency PREA Coordinator confirmed all allegations of sexual abuse and harassment are investigated by the proper authority.

(b) Dismas Charities PREA Policy states that all residents have the right to be safe from sexual abuse and harassment. Their policy discusses how staff will receive allegations and who is responsible for investigations.

Dismas Charities policy requires staff to document all incidents of sexual abuse and forward them to the Facility Director/PREA Compliance Manager.

(c) Information on the Dismas Charities website clearly explains who is responsible for investigations.

*Dismas Charities, Inc. ensures that allegations of sexual abuse or sexual harassment are referred for investigation to the appropriate agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior in which case, the allegation is referred for administrative investigation. All allegations are referred for investigation.*

*Dismas Charities, Inc. will fully assist and support the appropriate agency conducting criminal investigations as requested.*

*Residents of Dismas Charities, Inc. are encouraged to immediately report allegations of sexually abusive behavior to a staff member they trust, the Director, or via the Resident Kiosk process. All allegations, including third-party reports, are confidential and will be thoroughly investigated.*

*Third-party allegations on behalf of a resident can be initiated by contacting the PREA Coordinator at 502-387-7745, or by email at [info@Dismas.com](mailto:info@Dismas.com).*

*You may also report allegations of inmate abuse as below.*

*To initiate an investigation, please provide information about the incident(s) including: the dates, times, and locations where each incident took place; names of the inmates, staff, or others who were involved; and their identifying information. Any detail you can provide will greatly assist our investigation.*

*If reporting on behalf of a Federal resident write to one of the following addresses, depending on the type of allegation:*

*Resident abuse of other Residents:*

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FEDERAL BUREAU OF PRISONS  
NATIONAL PREA COORDINATOR  
CORRECTIONAL PROGRAMS DIVISION  
320 FIRST ST. NW, ROOM 554  
WASHINGTON, DC 20534

*Staff abuse of residents:*  
FEDERAL BUREAU OF PRISONS  
OFFICE OF INTERNAL AFFAIRS  
320 FIRST ST. NW, ROOM 600  
WASHINGTON, DC 20534

*If reporting on behalf of a State resident housed within a Department of Corrections facility, you may call the PREA Hotline toll free at 1-833-362-PREA (7732).*

*Please have any information or evidence available for the investigator who will be assigned to handle the case. False accusations may be prosecuted. All reports are taken seriously and investigated as outlined in PREA.*

*Allegations will be investigated based on client status. Federal Bureau of Prison clients may be investigated by agency or bureau investigators depending on allegations. Department of Corrections clients may be investigated by agency or DOC investigators depending on allegations. All allegations found to be criminal in nature will be referred to local law enforcement for investigation and prosecution if warranted.*

(d,e) Auditor is not required to audit these provisions

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard

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115.231	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities, Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities, Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention TRAINING Procedure 24.2</li> <li>3. Dismas Charities, PERSONNEL policy EMPLOYEE ORIENTATION Procedure 2.3</li> <li>4. Dismas Charities, PERSONNEL policy SEXUAL ABUSE INFORMATION Procedure 2.6</li> <li>5. Dismas Charities, Staff/Volunteer Acknowledgement Sexual Abuse Prevention and Intervention</li> <li>6. Dismas Charities, Initial Employee Orientation Checklist</li> <li>7. Dismas Charities, ANNUAL REFRESHER TRAINING</li> <li>8. Dismas Charities, Staff Training Record</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Assistant Facility Director</li> <li>3. Random Staff Interviews</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities provides all staff with training which includes their zero-tolerance policy, how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies, residents' right to be free from sexual abuse and sexual harassment, the right of residents and employees to be free from retaliation for reporting abuse and all other components of this standard.</p> <p>(b) Dismas Charities staff receives training tailored to the gender of the residents, the Omaha Facility is a male only facility and training records reviewed demonstrated a distinction in training. All staff receives this training regardless of whether or not they are reassigned from another facility.</p> <p>(c) All current employees who have contact with residents have received training. A review of the staff training records and random staff interviews confirm training was received. Additionally, PREA standards are reviewed at monthly staff meetings.</p> <p>(d) Dismas Charities provided training reports which verify they have received the information and understand the training they have received. Upon completion of the lesson plan, staff is required to complete a test over the material. Staff interviews confirmed this process.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.232	<b>Volunteer and contractor training</b>
	<p data-bbox="245 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1422 676" style="list-style-type: none"> <li>1. Dismas Charities, Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities, Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention TRAINING Procedure 24.2</li> <li>3. Dismas Charities, PERSONNEL policy SEXUAL HARRASSMENT Procedure 2.K</li> <li>4. Dismas Charities, PERSONNEL policy USE OF VOLUNTEERS Procedure 2.C</li> <li>5. Dismas Charities, Staff/Volunteer Acknowledgement Sexual Abuse Prevention and Intervention</li> <li>6. Dismas Charities Volunteer Application that includes VOLUNTEER RULES</li> </ol> <p data-bbox="245 707 357 734">Interviews:</p> <ol data-bbox="245 766 719 851" style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> </ol> <p data-bbox="245 882 512 909">Site Review Observations:</p> <p data-bbox="245 940 762 967">Observations during on-site review of physical plant</p> <p data-bbox="245 999 1485 1155">(a) Dismas Charities ensures that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. All volunteers and contractors are provided information based on the level of services they provide and the level of contact that they will have with the residents. Interviews conducted confirmed that volunteers and contractors received this information prior to entering the facility.</p> <p data-bbox="245 1187 1469 1312">(b) All volunteers and contractors who have contact with residents have been notified of the agency's zero-tolerance policy regarding sexual abuse and harassment. Volunteers and contractors are informed how to report such incidents. The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with residents and their training is tailored during orientation.</p> <p data-bbox="245 1344 1469 1469">(c) Dismas Charities maintains documentation confirming that volunteers and contractors understand the training they have received. Upon receipt of the PREA information, volunteers and contractors are required sign and acknowledge they understand the material. Due to COVID most volunteer have been suspended. The Agency PREA Coordinator and Facility Director explained that refresher training will be provided to all volunteers before allowing them to return to the facility.</p> <p data-bbox="245 1500 1422 1559">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.233	<b>Resident education</b>
	<p data-bbox="245 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1414 846" style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-TRAINING Procedure 24.2</li> <li>3. Dismas Charities PROGRAMS-INDIVIDUAL ORIENTATION Procedure 10.3</li> <li>4. Dismas Charities REFERRAL AND INTAKE PROCESSING-ADMISSION Procedure 9.2</li> <li>5. Dismas Charities Sexual Abuse/Harassment/Misconduct Prevention Intervention Statement For Residents</li> <li>6. Dismas Charities Initial PREA Screening Questionnaire</li> <li>7. Dismas Charities SEARCHES AND CONTRABAND</li> <li>8. Dismas Charities Resident Acknowledgement Sexual Abuse/Harassment/Misconduct Prevention Intervention</li> <li>9. PREA Informational Posters and Brochures</li> </ol> <p data-bbox="245 882 357 909">Interviews:</p> <ol data-bbox="245 940 719 1133" style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> <li>3. Resident Counselor</li> <li>4. Resident Interviews</li> </ol> <p data-bbox="245 1169 512 1196">Site Review Observations:</p> <p data-bbox="245 1227 762 1254">Observations during on-site review of physical plant</p> <ol data-bbox="245 1285 1477 1863" style="list-style-type: none"> <li>(a) During intake, residents receive and sign a Resident Acknowledgement of Sexual Abuse, Harassment, and Misconduct which explains Dismas Charities' zero-tolerance policy towards sexual abuse and sexual harassment.</li> <li>(b) Dismas Charities provides education to residents about their rights to be free from sexual abuse and sexual harassment. The education, resident handbook and other materials include their rights to be free from retaliation for reporting such incidents and that cases of sexual assault will be reported to the Facility Director for investigation.</li> <li>(c) Within 30 days and during regular sessions with Resident Counselors, all residents receive additional education and orientation, resident interviews confirmed residents receive and understand PREA education and materials that has been provided.</li> <li>(d) Dismas Charities provides resident education in formats accessible to all residents including those who are limited English proficient. Information is also available for residents who are deaf, those who are visually impaired, those who are otherwise disabled and residents who have limited reading skills.</li> <li>(e) Dismas Charities maintains documentation of resident participation in the PREA education in the resident file.</li> <li>(f) Dismas Charities provides additional educational materials in the resident dorms in the form of posters. Random interviews and the facility tour confirmed the existence of additional materials in most areas.</li> </ol> <p data-bbox="245 1895 1418 1953">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.234	<b>Specialized training: Investigations</b>
	<p data-bbox="244 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="244 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="244 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="244 362 772 448" style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Specialized Investigative Training Records</li> </ol> <p data-bbox="244 479 357 506">Interviews:</p> <ol data-bbox="244 537 719 676" style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> <li>3. Bureau of Prison Investigator</li> </ol> <p data-bbox="244 707 512 734">Site Review Observations:</p> <p data-bbox="244 766 762 792">Observations during on-site review of physical plant</p> <p data-bbox="244 824 1485 981">(a) Dismas Charities ensures that its Facility Directors have received training in conducting sexual abuse investigations in confinement settings; The Facility Director is responsible for receiving all allegations of sexual abuse and sexual harassment. Based on the allegation, the Facility Director may refer the case to the BOP and local law enforcement and/or the Bureau of Prison for a criminal investigation. Facility Staff interviews confirmed they have received additional training in accordance with their job responsibilities.</p> <p data-bbox="244 1012 1474 1106">(b) Specialized training includes techniques for interviewing sexual abuse victims, the proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Investigative staff was knowledgeable about the training they received.</p> <p data-bbox="244 1137 1406 1196">(c) Dismas Charities maintains documentation that investigators have completed the required specialized training in conducting sexual abuse investigations.</p> <p data-bbox="244 1227 735 1254">(d) Auditor is not required to audit this provision</p> <p data-bbox="244 1285 1417 1344">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.235	<b>Specialized training: Medical and mental health care</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <p>1. Dismas Charities Memo</p> <p>Interviews:</p> <p>1. Agency PREA Coordinator</p> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities Omaha Facility does not employ their own medical staff or contract for on-site medical services.</p> <p>(b) The portion of the standard is Not Applicable as all forensic exams are conducted at University of Nebraska Medical Center or another community hospital. Staff interviews confirmed this information.</p> <p>(c) Dismas Charities Omaha Facility does not employ their own medical staff or contract for on-site medical services.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard</p>

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115.241	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>

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Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:

1. Dismas Charities Omaha Pre-Audit Questionnaire
2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-Training Procedure 24.2
3. Dismas Charities PROGRAMS-INDIVIDUAL ORIENTATION Procedure 10.3
4. Dismas Charities PROGRAMS-PROGRAM PLANNING AND PROGRESS Procedure 10.4
5. Dismas Charities REFERRAL AND INTAKE PROCESSING-ADMISSIONS Procedure 9.2
6. Dismas Charities Initial PREA Screening Questionnaire

Interviews:

1. Facility Director/PREA Compliance Manager
2. Agency PREA Coordinator
3. Resident Counselor
4. Resident Interviews

Site Review Observations:

Observations during on-site review of physical plant

- (a) During the intake process Omaha Facility staff assesses all residents for their risk of being sexually abused by other residents or sexually abusive toward other residents.
- (b) Interviews conducted with staff indicate intake screenings are typically completed within two hours to four hours of arrival but definitely take place within 72 hours of arrival at the facility. Random resident interviews confirmed this process is being completed.
- (c) The PREA screening assessments are conducted using an objective screening instrument which was verified by the auditor during the onsite visit.
- (d) Dismas Charities intake screening instrument considers whether the resident has a mental, physical, or developmental disability, assess residents for risk of sexual victimization, the age of the resident, the physical build of the resident, whether the resident has previously been incarcerated, whether the resident's criminal history is exclusively nonviolent, whether the resident has prior convictions for sex offenses against an adult or child, whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming, has previously experienced sexual victimization, the residents' own perception of vulnerability and whether the resident is detained solely for civil immigration purposes.
- (e) When assessing residents for risk of being sexually abusive, the resident's initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, history of prior institutional violence or sexual abuse.
- (f) Within a set time period not more than 30 days from the resident's arrival at the facility, the resident's assigned Resident Counselors reassess the resident's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening. It was confirmed during Resident Counselor and Resident interviews that this reassessment is being completed every two weeks during regular visits between Residents and Counselors
- (g) Dismas Charities reassesses a resident's risk level when warranted due to a: referral, request, or incident of sexual abuse and receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness.
- (h) Dismas Charities does not discipline residents for refusing to answer, or for not disclosing complete information in response to the risk screening questions. Interviews conducted with staff reiterated that residents would be not disciplined for refusing to answer the screening questions.
- (i) Dismas Charities has implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited. Information is maintained in

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their resident file and kept in a restricted area and is only accessible to authorized staff. Ten (10) file reviews were completed all documentation was found to be properly filed.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

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115.242	<b>Use of screening information</b>
	<p data-bbox="245 147 766 174"><b>Auditor Overall Determination:</b> Exceeds Standard</p> <p data-bbox="245 210 454 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1460 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1388 676" style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-Training Procedure 24.2</li> <li>3. Dismas Charities PROGRAMS-INDIVIDUAL ORIENTATION Procedure 10.3</li> <li>4. Dismas Charities PROGRAMS-PROGRAM PLANNING AND PROGRESS Procedure 10.4</li> <li>5. Dismas Charities REFERRAL AND INTAKE PROCESSING-ADMISSIONS Procedure 9.2</li> <li>6. Dismas Charities Initial PREA Screening Questionnaire</li> </ol> <p data-bbox="245 707 359 734">Interviews:</p> <ol data-bbox="245 766 718 963" style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> <li>3. Resident Counselor</li> <li>4. Resident Interviews</li> </ol> <p data-bbox="245 994 510 1021">Site Review Observations:</p> <p data-bbox="245 1052 758 1079">Observations during on-site review of physical plant</p> <p data-bbox="245 1111 1484 1267">(a) Dismas Charities uses information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: housing assignments, bed assignments, work assignments, education assignments and program assignments. Interview with the Facility Director/PREA Compliance Manager and Resident Counselors responsible for risk screening confirmed how the screening information is utilized.</p> <p data-bbox="245 1299 1476 1393">(b) Dismas Charities makes an individualized, case-by-case determination about how to ensure the safety of each resident based on information gathered during the risk screening. The Facility Director/PREA Compliance Manager and random staff interviews confirmed that all information gathered is used to ensure the safety of each resident.</p> <p data-bbox="245 1424 1452 1518">(c) When deciding whether to assign a transgender or intersex resident to the facility the Facility Director determines the residents housing assignment after consulting with Resident Counselors and reviewing resident records and an interview with the resident.</p> <p data-bbox="245 1550 1484 1608">(d) Dismas Charities policy requires that placement and programming assignments for each transgender or intersex resident is reassessed at least once per year.</p> <p data-bbox="245 1639 1452 1733">(e) Resident Counselors meet with transgender or intersex individuals to discuss the residents' own views with respect to his or her own safety and will give serious consideration when making facility and housing placement decisions and programming assignments.</p> <p data-bbox="245 1765 1364 1792">(f) Transgender residents at the Omaha Facility have the opportunity to shower separately from other residents.</p> <p data-bbox="245 1823 1484 1948">(g) Dismas Charities does not place lesbian, gay, bisexual, transgender, or intersex residents 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 residents. The Omaha Facility does not have a dedicated unit or wing solely on the basis of identification or status.</p> <p data-bbox="245 1980 1420 2038">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.251	<p data-bbox="244 85 469 116"><b>Resident reporting</b></p> <p data-bbox="244 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="244 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="244 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="244 362 1485 654" style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-PREVENTION AND REPORTING Procedure 24.3</li> <li>3. Dismas Charities Sexual Abuse/Harassment/Misconduct Prevention Intervention Statement for Residents</li> <li>4. Dismas Charities Resident Acknowledgement Sexual Abuse/Harassment/Misconduct Prevention Intervention</li> <li>5. PREA Informational Posters and Brochures (English and Spanish)</li> </ol> <p data-bbox="244 685 357 712">Interviews:</p> <ol data-bbox="244 743 579 824" style="list-style-type: none"> <li>1. Random Staff Interviews</li> <li>2. Random Resident Interviews</li> </ol> <p data-bbox="244 855 512 882">Site Review Observations:</p> <ol data-bbox="244 913 799 940" style="list-style-type: none"> <li>1. Observations during on-site review of physical plant</li> </ol> <p data-bbox="244 972 1469 1128">The Omaha Facility provides multiple internal and external ways for residents to privately report sexual abuse and sexual harassment. Information is provided at intake and posted in all resident dorms and common areas. Reports may be made verbally to a staff member or in writing to a supervisory or management staff. Phone numbers are provided for local law enforcement and the BOP to report outside the facility. Residents were aware of all reporting options during interviews. The "PREA Hotline" was tested and worked as described to the residents.</p> <p data-bbox="244 1160 1417 1218">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.252	<b>Exhaustion of administrative remedies</b>
	<p data-bbox="245 143 740 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 241"><b>Auditor Discussion</b></p> <p data-bbox="245 268 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 358 1484 595" style="list-style-type: none"> <li data-bbox="245 358 766 389">1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 416 1484 479">2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-PREVENTION AND REPORTING Procedure 24.3</li> <li data-bbox="245 506 730 537">3. Dismas Charities GRIEVANCE PROCEDURE</li> <li data-bbox="245 564 1002 595">4. Dismas Charities ADMINISTRATIVE REMEDY-GRIEVANCE PROCEDURE</li> </ol> <p data-bbox="245 622 357 654">Interviews:</p> <ol data-bbox="245 680 718 824" style="list-style-type: none"> <li data-bbox="245 680 718 712">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 739 453 770">2. Assistant Director</li> <li data-bbox="245 797 568 828">3. Random Resident Interviews</li> </ol> <p data-bbox="245 855 513 887">Site Review Observations:</p> <p data-bbox="245 913 762 945">Observations during on-site review of physical plant</p> <ol data-bbox="245 972 1493 1912" style="list-style-type: none"> <li data-bbox="245 972 1465 1034">(a) Dismas Charities permits residents to submit grievances regarding allegations of sexual abuse without any type of time limits.</li> <li data-bbox="245 1061 1439 1124">(b) Dismas Charities does not require residents to use an informal grievance process, or to otherwise attempt to resolve incidents of sexual abuse.</li> <li data-bbox="245 1151 1465 1249">(c) Dismas Charities ensures a resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint and the grievance is not referred to the staff member who is the subject of the complaint.</li> <li data-bbox="245 1276 1493 1473">(d) Dismas Charities issues 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, the 90-day time period does not include time consumed by residents in preparing any appeal. When the normal time period for response is insufficient to make an appropriate decision, Dismas Charities notifies the resident in writing of the extension and provides a date when a decision will be made. Dismas Charities policy states that if the resident does not receive a response within the time allotted for reply, including any properly noted extension the resident may consider the absence of a response to be a denial at that level.</li> <li data-bbox="245 1500 1481 1599">(e) Third parties, including fellow residents, staff members, family members, attorneys, and outside advocates are permitted to assist residents in filing grievances relating to allegations of sexual abuse or file such requests on behalf of residents. If the resident declines to have the request processed on his or her behalf the agency document the residents' decision.</li> <li data-bbox="245 1653 1487 1823">(f) Dismas Charities has established procedures for filing an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse. After receiving an emergency grievance alleging a resident is subject to substantial risk of imminent sexual abuse, the agency immediately forwards the grievance to Facility Director/PREA Compliance Manager for review. The Facility Director provides an initial response within 48 hours and issues a final decision within 5 calendar days. The initial response and final decision are documented and placed in the resident's file.</li> <li data-bbox="245 1850 1423 1912">(g) The Dismas Charities does not discipline residents for filing a grievance related to alleged sexual abuse unless the facility demonstrates the grievance was deliberately filed in bad faith.</li> </ol> <p data-bbox="245 1939 1477 1971">The Dismas Charities Omaha Facility reported no grievances related to sexual abuse or harassment for the past 12 months.</p> <p data-bbox="245 1998 1420 2060">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.253	<b>Resident access to outside confidential support services</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-PREVENTIONAND REPORTING Procedure 24.3</li> <li>3. Dismas Charities Resident Acknowledgement Sexual Abuse/Harassment/Misconduct Prevention and Intervention</li> <li>4. PREA Informational Posters and Brochures</li> <li>5. MOU – BOP Community Treatment Services</li> <li>6. Women’s Center for Advancement</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Random staff interviews</li> <li>3. Random resident interviews</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities provides residents with access to outside victim advocates for emotional support services related to sexual abuse by giving residents mailing addresses and telephone numbers, including toll-free hotline numbers, of local, State, or national victim advocacy or rape crisis organizations, this information is located in the PREA pamphlet provided at intake and on posters in each dorm and in common areas.</p> <p>(b) Dismas Charities informs residents that communication with outside resources is confidential unless otherwise indicated by the provider.</p> <p>(c) Dismas Charities has an agreement with BOP Community Treatment Services and may use the Women’s Center for Advancement to provide residents with confidential emotional support services related to sexual abuse. Random staff and residents were able to provide information about how to contact outside support services.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.254	<b>Third party reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1484 537" style="list-style-type: none"> <li data-bbox="245 362 772 389">1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 421 1484 479">2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-PREVENTIONAND REPORTING Procedure 24.3</li> <li data-bbox="245 510 708 537">3. PREA Informational Posters and Brochures</li> </ol> <p data-bbox="245 568 357 595">Interviews:</p> <ol data-bbox="245 627 718 766" style="list-style-type: none"> <li data-bbox="245 627 718 654">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 685 523 712">2. Random Staff Interviews</li> <li data-bbox="245 743 568 770">3. Random Resident Interviews</li> </ol> <p data-bbox="245 797 513 824">Site Review Observations:</p> <p data-bbox="245 855 762 882">Observations during on-site review of physical plant</p> <p data-bbox="245 913 1490 1008">(a,b) Dismas Charities accepts and investigates third-party reports of sexual abuse and harassment. Information is posted in the facility and available on the Dismas Charities website. (<a href="http://www.dismas.com/about/prea/">http://www.dismas.com/about/prea/</a>) Staff and resident interviews showed an understanding of this standard. Residents felt that third party reports would be investigated.</p> <p data-bbox="245 1039 1420 1097">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.261	<b>Staff and agency reporting duties</b>
	<p data-bbox="245 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1485 651" style="list-style-type: none"> <li data-bbox="245 362 772 389">1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 421 1485 479">2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-PREVENTION AND REPORTING Procedure 24.3</li> <li data-bbox="245 510 1318 537">3. Dismas Charities Sexual Abuse/Harassment/Misconduct Prevention Intervention Statement for Residents</li> <li data-bbox="245 568 1358 595">4. Dismas Charities Resident Acknowledgement Sexual Abuse/Harassment/Misconduct Prevention Intervention</li> <li data-bbox="245 627 708 654">5. PREA Informational Posters and Brochures</li> </ol> <p data-bbox="245 683 357 710">Interviews:</p> <ol data-bbox="245 741 719 882" style="list-style-type: none"> <li data-bbox="245 741 719 768">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 799 544 826">2. Agency PREA Coordinator</li> <li data-bbox="245 857 523 884">3. Random Staff Interviews</li> </ol> <p data-bbox="245 913 512 940">Site Review Observations:</p> <p data-bbox="245 972 759 999">Observations during on-site review of physical plant</p> <p data-bbox="245 1030 1485 1323">(a) Dismas Charities requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency. It also requires staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against residents or staff who reported an incident of sexual abuse or sexual harassment. Lastly, staff must report immediately and according to any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation. Interviews conducted with staff showed they understood their duty to report any instances or suspected instances of sexual abuse. Staff was also aware of their duty not to discuss the allegations with anyone not directly involved in the response and investigation.</p> <p data-bbox="245 1355 1477 1480">(b) Apart from reporting to the Facility Director, Omaha Facility staff refrains 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. The staff was able to clearly articulate during the interviews the importance of keeping the information confidential.</p> <p data-bbox="245 1512 831 1538">(c) The Omaha Facility does not have onsite medical staff.</p> <p data-bbox="245 1570 1485 1628">(d) The Omaha Facility does not house residents under the age of 18, if the victim is considered a vulnerable adult staff must report the allegation to the designated State or local services agency under applicable mandatory reporting laws</p> <p data-bbox="245 1659 1461 1753">(e) Omaha Facility staff report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the Facility Director/PREA Compliance Manager or designee for investigation. Staff interviewed where aware of their reporting responsibilities.</p> <p data-bbox="245 1785 1417 1843">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.262	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 271 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 360 1493 421" style="list-style-type: none"> <li data-bbox="245 360 1493 421">1. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-PREVENTION AND REPORTING Procedure 24.3</li> </ol> <p data-bbox="245 454 357 481">Interviews:</p> <ol data-bbox="245 510 719 651" style="list-style-type: none"> <li data-bbox="245 510 719 537">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 566 544 593">2. Agency PREA Coordinator</li> <li data-bbox="245 622 523 649">3. Random Staff Interviews</li> </ol> <p data-bbox="245 683 512 710">Site Review Observations:</p> <p data-bbox="245 739 762 766">Observations during on-site review of physical plant</p> <p data-bbox="245 795 1493 958">(a) According to Dismas Charities' policy, when the agency learns that a resident is subject to a substantial risk of imminent sexual abuse, staff will take immediate action to protect the resident. The Omaha Facility reported no instances of substantial risk of imminent sexual abuse during the reporting period. Interviews with the Facility Director/PREA Compliance Manager indicated any information received that alleges a resident is at substantial risk of imminent sexual abuse would require immediate removal and isolation of the threat.</p> <p data-bbox="245 987 1422 1048">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.263	<b>Reporting to other confinement facilities</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-PREVENTION AND REPORTING Procedure 24.3</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities policy states that upon receiving an allegation that a resident was sexually abused while confined at another facility, the Facility Director will notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. The Omaha Facility indicated that in the previous 12 months they had not received any reports in which a resident alleges they were sexually abuse while being housed at another facility.</p> <p>(b) Dismas Charities policy states that within 72 hours of receipt of an allegation a resident was sexually abused while confined at another facility, the receiving Facility Director will notify the Warden/Director of the facility where the incident was alleged to have occurred. Such notifications shall be documented and maintained in the resident's file.</p> <p>(c) Dismas Charities documents all such notifications</p> <p>(d) The Facility Director will initiate an investigation on all notifications of reported sexual abuse or harassment they receive from another facility. In the previous 12 months the Omaha Facility received zero (0) reports from another facility in which a Resident alleged sexually abuse while housed at the facility.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.264	<b>Staff first responder duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-PREVENTION AND REPORTING Procedure 24.3</li> <li>2. Dismas Charities laminated response card titled "1st Responder PREA Protocols"</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> <li>3. Random Staff Interviews</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities staff upon learning of an allegation that a resident was sexually abused, and is the first security staff member to respond to the report is required to separate the alleged victim and abuser, preserve and protect any crime scene until appropriate steps can be taken to collect any 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 and 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. Random staff interviews validated their knowledge of actions to be taken upon learning that a resident was sexually abused and could describe the steps outlined in Dismas Charities policy. A review of training documentations confirmed staff had been trained in their responsibilities as first responders and have been provided.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.265	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-RESPONSE PROCEDURES Procedure 24.4</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> <li>3. Random Staff Interviews</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities policy provides a written coordinated response at the facility to coordinate actions taken in response to an incident of sexual abuse and the notification procedures among staff first responders, administration, central office, investigators, and victim advocate services.</p> <p>Interviews with the Facility Director and other random staff show knowledge of their duties to coordinate actions taken in response to a sexual abuse allegation. Also, all staff carries a PREA Response Card and have access to Dismas Charities' PREA Response Policy which details the steps to take in response to a sexual abuse allegation.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard</p>

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115.266	<b>Preservation of ability to protect residents from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Dismas Charities provided the following documents to assist the auditor in determining compliance with the standard:</p> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> </ol> <p>Site Review Observations:</p> <ol style="list-style-type: none"> <li>1. Observations during on-site review of physical plant</li> </ol> <p>The Omaha Facility has space and ability to protect residents from known abusers. Dismas Charities employees are not covered by a collective bargaining agreement. Nothing in policy prevents administrative staff from removing an employee during an investigation.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.267	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Dismas Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention PROTECTION AGAINST RETALIATION Procedure 24.6</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Assistant Facility Director</li> <li>3. Random Staff Interviews</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities policy outlines a process to protect all residents and staff that report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff, and shall designate which staff members or departments are charged with monitoring retaliation. The Facility Director/PREA Compliance Manager or designee is responsible for monitoring.</p> <p>(b) Dismas Charities has multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.</p> <p>(c) The Facility Director/PREA Compliance Manager or designee will for at least 90 days following a report of sexual abuse, monitor the conduct and treatment of residents or staff who reported the sexual abuse and of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff, and shall act promptly to remedy any such retaliation. The Facility Director/PREA Compliance Manager or designee also monitors any resident disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The Facility Director/PREA Compliance Manager or designee may continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.</p> <p>(d) The Facility Director/PREA Compliance Manager or designee conducts status checks and that information is documented and maintained in the residents file.</p> <p>(e) The Facility Director/PREA Compliance Manager or designee also monitors any individual who cooperates with an investigation and who expresses a fear of retaliation, and they will take appropriate measures to protect that individual against retaliation.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.271	<b>Criminal and administrative agency investigations</b>
	<p data-bbox="245 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1445 537" style="list-style-type: none"> <li data-bbox="245 362 772 389">1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 421 1445 479">2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention INVESTIGATIONS Procedure 24.5</li> <li data-bbox="245 510 708 537">3. PREA Informational Posters and Brochures</li> </ol> <p data-bbox="245 568 357 595">Interviews:</p> <ol data-bbox="245 627 718 766" style="list-style-type: none"> <li data-bbox="245 627 718 654">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 685 545 712">2. Agency PREA Coordinator</li> <li data-bbox="245 743 571 770">3. Bureau of Prisons Investigator</li> </ol> <p data-bbox="245 797 513 824">Site Review Observations:</p> <p data-bbox="245 855 762 882">Observations during on-site review of physical plant</p> <p data-bbox="245 913 1461 972">(a) Dismas Charities policy ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.</p> <p data-bbox="245 1003 1461 1061">(b) Where sexual abuse is alleged, the Omaha Facility uses investigators who have received specialized training in sexual abuse investigations as required by 115.234 and the Facility Director will be notified immediately.</p> <p data-bbox="245 1093 1461 1218">(c) Local law enforcement and/or BOP Investigators will 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. All reports will be provided to local law enforcement and/or BOP Investigators as soon as possible.</p> <p data-bbox="245 1249 1461 1308">(d) Local law enforcement and/or BOP Investigators are responsible for the criminal investigations that maybe referred for prosecution.</p> <p data-bbox="245 1339 1484 1433">(e) An interview conducted with the Facility Director confirms that the credibility of an alleged victim, suspect or witness is on an individual basis and not on the basis of that individual's status as a resident or staff. Dismas Charities investigates all allegations of sexual abuse and may refer matters to local law enforcement and/or BOP as warranted.</p> <p data-bbox="245 1464 1471 1559">(f) Dismas Charities conducts administrative investigations in an effort to determine whether staff actions or failures to act contributed to the abuse. All reports include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and finding.</p> <p data-bbox="245 1590 1362 1648">(g) Omaha Facility staff provides written report that contains a thorough description of physical, testimonial, and documentary evidence and to the Facility Director/PREA Compliance Manager.</p> <p data-bbox="245 1680 1477 1738">(h) Dismas Charities retains all written reports referenced for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.</p> <p data-bbox="245 1769 1484 1827">(i) Dismas Charities policy 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 data-bbox="245 1859 635 1886">(j) Not required to audit this provision</p> <p data-bbox="245 1917 1426 1975">(k) Dismas Charities provides all of their internal reports to local law enforcement and/or BOP Investigators as soon as possible following an allegation. Dismas Charities staff cooperates with investigators as requested.</p> <p data-bbox="245 2007 1420 2065">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.272	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1445 479" style="list-style-type: none"> <li data-bbox="245 362 772 389">1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 421 1445 479">2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention INVESTIGATIONS Procedure 24.5</li> </ol> <p data-bbox="245 510 357 537">Interviews:</p> <ol data-bbox="245 568 721 654" style="list-style-type: none"> <li data-bbox="245 568 721 595">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 622 580 654">2. Bureau of Prisons Investigator</li> </ol> <p data-bbox="245 685 517 712">Site Review Observations:</p> <p data-bbox="245 743 762 770">Observations during on-site review of physical plant</p> <p data-bbox="245 801 1471 927">(a) Dismas Charities policy requires that a facility investigate the allegation and indicates a standard of a preponderance of the evidence or a lower standard of proof for determining if allegations are substantiated. The BOP Investigator and/or Facility Director/PREA Compliance Manager investigates the allegation and indicates a standard of a preponderance of the evidence or a lower standard of proof for determining if allegations are substantiated, unsubstantiated or unfounded.</p> <p data-bbox="245 958 1471 1016">Interviews with the Facility Director/PREA Compliance Manager indicated they conduct fact finding investigations and make conclusions following their investigations and determine the best course of action based on the preponderance of evidence.</p> <p data-bbox="245 1048 1423 1106">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.273	<b>Reporting to residents</b>
	<p data-bbox="245 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1382 479" style="list-style-type: none"> <li data-bbox="245 362 820 389">1. Dismas Charities, Inc./Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 421 1382 479">2. Dismas Charities, Inc. Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention INVESTIGATIONS Procedure 24.5</li> </ol> <p data-bbox="245 510 357 537">Interviews:</p> <ol data-bbox="245 568 719 654" style="list-style-type: none"> <li data-bbox="245 568 719 595">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 622 579 649">2. Bureau of Prisons Investigator</li> </ol> <p data-bbox="245 685 512 712">Site Review Observations:</p> <p data-bbox="245 743 759 770">Observations during on-site review of physical plant</p> <p data-bbox="245 801 1437 891">(a) Following an investigation into a resident's allegation that he suffered sexual abuse the Dismas Charities informs the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The notification is in writing regardless of the outcome of the investigation.</p> <p data-bbox="245 922 1461 981">(b) The Facility Director/PREA Compliance Manager requests relevant information from investigators in order to inform the resident.</p> <p data-bbox="245 1012 1461 1205">(c) Following a resident's allegation that a staff member has committed sexual abuse against the resident, the Facility Director/PREA Compliance Manager will subsequently inform the resident (unless the agency has determined that the allegation is unfounded) whenever: the staff member is no longer posted within the resident'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.</p> <p data-bbox="245 1236 1485 1361">(d) Following a resident's allegation that he has been sexually abused by another resident, the Facility Director/PREA Compliance Manager will 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 staff learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.</p> <p data-bbox="245 1393 1434 1420">(e) All such notifications or attempted notifications are documented and the notifications are kept in the investigative file.</p> <p data-bbox="245 1451 722 1478">(f) Auditor is not required to audit this provision</p> <p data-bbox="245 1509 1418 1568">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.276	<b>Disciplinary sanctions for staff</b>
	<p data-bbox="245 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1426 685" style="list-style-type: none"> <li data-bbox="245 362 887 389">1. Completed Dismas Charities Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 421 1374 479">2. Dismas Charities, Inc. Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-DISCIPLINE FOR VIOLATING SEXUAL ABUSE/HARASSMENT POLICIES OR PROCEDURES Procedure 24.7</li> <li data-bbox="245 510 943 537">3. Dismas Charities Employee Handbook-Corrective Action Page #40</li> <li data-bbox="245 568 1426 627">4. Dismas Charities Human Resources Policies and Procedures Manual-DISCIPLINARY PROCEDURECORRECTIVE ACTION Page #57</li> <li data-bbox="245 658 1398 685">5. Dismas Charities Human Resources Policies and Procedures Manual-STAFF DISCIPLINARY Page #58 and #59</li> </ol> <p data-bbox="245 716 357 743">Interviews:</p> <ol data-bbox="245 775 719 913" style="list-style-type: none"> <li data-bbox="245 775 719 801">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 833 533 860">2. Assistant Facility Director</li> <li data-bbox="245 891 523 918">3. Random Staff Interviews</li> </ol> <p data-bbox="245 945 513 972">Site Review Observations:</p> <p data-bbox="245 1003 759 1030">Observations during on-site review of physical plant</p> <ol data-bbox="245 1061 1485 1496" style="list-style-type: none"> <li data-bbox="245 1061 1426 1120">(a) Dismas Charities policy states that staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse/harassment policies.</li> <li data-bbox="245 1151 1449 1209">(b) Dismas Charities policy states termination shall be the presumptive disciplinary sanction for staff who has engaged in sexual abuse.</li> <li data-bbox="245 1240 1485 1366">(c) Dismas Charities policy states disciplinary sanctions for violations of agency 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.</li> <li data-bbox="245 1397 1449 1496">(d) The terminations for violations of agency sexual abuse and harassment 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.</li> </ol> <p data-bbox="245 1527 1422 1585">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.277	<b>Corrective action for contractors and volunteers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1461 542" style="list-style-type: none"> <li data-bbox="245 362 887 389">1. Completed Dismas Charities Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 421 1461 479">2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-DISCIPLINE FOR VIOLATING SEXUAL ABUSE/HARASSMENT POLICIES OR PROCEDURES Procedure 24.7</li> <li data-bbox="245 510 1216 537">3. Dismas Charities Staff/Volunteer Acknowledgement Sexual Abuse Prevention and Intervention</li> </ol> <p data-bbox="245 568 357 595">Interviews:</p> <ol data-bbox="245 627 721 712" style="list-style-type: none"> <li data-bbox="245 627 721 654">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 685 533 712">2. Assistant Facility Director</li> </ol> <p data-bbox="245 743 517 770">Site Review Observations:</p> <p data-bbox="245 801 762 828">Observations during on-site review of physical plant</p> <ol data-bbox="245 860 1477 1008" style="list-style-type: none"> <li data-bbox="245 860 1477 918">(a) Dismas Charities policy states contractors and volunteers who engage in sexual abuse are prohibited from contact with residents and shall be reported to law enforcement agencies and relevant licensing bodies.</li> <li data-bbox="245 949 1477 1008">(b) Dismas Charities policy states contractors and volunteers who engage in sexual abuse are prohibited from contact with residents and shall be reported to law enforcement agencies and relevant licensing bodies.</li> </ol> <p data-bbox="245 1039 1423 1097">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.278	<b>Disciplinary sanctions for residents</b>
	<p data-bbox="245 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1461 542" style="list-style-type: none"> <li data-bbox="245 362 772 389">1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 421 1461 479">2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-DISCIPLINE FOR VIOLATING SEXUAL ABUSE/HARASSMENT POLICIES OR PROCEDURES Procedure 24.7</li> <li data-bbox="245 510 1353 537">3. Dismas Charities Resident Acknowledgement Sexual Abuse/Harassment/Misconduct Prevention Intervention</li> </ol> <p data-bbox="245 568 357 595">Interviews:</p> <ol data-bbox="245 627 721 766" style="list-style-type: none"> <li data-bbox="245 627 721 654">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 685 545 712">2. Agency PREA Coordinator</li> <li data-bbox="245 743 475 770">3. Resident Interviews</li> </ol> <p data-bbox="245 797 513 824">Site Review Observations:</p> <p data-bbox="245 855 762 882">Observations during on-site review of physical plant</p> <p data-bbox="245 913 1487 1008">(a) Residents at the Omaha Facility are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse or following a criminal finding of guilt for resident-on-resident sexual abuse. Residents are made aware of the disciplinary process during the intake process.</p> <p data-bbox="245 1039 1474 1133">(b) The Omaha Facility resident rule book reflects that sanctions shall be commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories.</p> <p data-bbox="245 1164 1474 1223">(c) Dismas Charities disciplinary process considers whether an resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.</p> <p data-bbox="245 1254 1442 1348">(d) The Omaha Facility is a short-term facility and does not provide therapy or other counseling services. If needed, residents will be transferred to another facility that does provide those services. Dismas Charities does offer intervention services.</p> <p data-bbox="245 1379 1487 1438">(e) The Omaha Facility will discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact.</p> <p data-bbox="245 1469 1461 1563">(f) For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.</p> <p data-bbox="245 1594 1002 1621">(g) Dismas Charities has a zero-tolerance policy concerning sexual contact.</p> <p data-bbox="245 1653 1423 1711">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.282	<b>Access to emergency medical and mental health services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities Sexual Abuse/Harassment/Misconduct Prevention Intervention Statement For Residents</li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities policy states resident victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.</p> <p>(b) All Omaha Facility staff are trained and act as security staff first responders, if no qualified medical or mental health practitioners are available at the time a report of recent abuse is made, the security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.262 and shall immediately notify the appropriate medical and mental health practitioners.</p> <p>(c) Omaha Facility staff confirmed that resident victims of sexual abuse are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.</p> <p>(d) 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.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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<b>115.283</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

- Redacted Material is proprietary information and the release of such is a security threat to and breach of confidentiality of residents and staff.

Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:

1. Dismas Charities Omaha Pre-Audit Questionnaire
2. Dismas Charities MEDICAL SERVICES Procedure 13.B
3. Dismas Charities Sexual Abuse/Harassment/Misconduct Prevention Intervention Statement For Residents

Interviews:

1. Facility Director/PREA Compliance Manager
2. Agency PREA Coordinator

Site Review Observations:

Observations during on-site review of physical plant

- (a) Whenever an employee knows or suspects, or receives an allegation from any source regarding patient sexual abuse, the employee will immediately notify the responsible health authority.
- (b) Prophylactic treatment and follow-up care for sexually transmitted or other communicable diseases (e.g., HIV, Hepatitis B) are offered to all victims, as appropriate.
- (c) Victims of sexual abuse will be referred to a community facility or local emergency room for treatment or gathering of forensic evidence.
- (d) Female victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.
- (e) Female victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.
- (f) Resident victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.
- (g) Medical co-payment fees are not imposed to residents for any medical services.
- (h) Mental Health - After any emergency treatment is provided, health care staff will notify mental health staff of event. An immediate referral, including after hours, is the preferred referral format in case of an abuse.

Dismas Charities staff had protocols in place to assist in expediting a resident to University of Nebraska Medical Center for emergency services. Also, facility staff will contact the Women's Center for Advancement to provide a victim advocate upon request from the resident during the forensic medical examination. The facility has available the contact information for residents to call or write for additional assistance as needed.

Interviews with staff confirmed that residents (victims) of sexual abuse receive timely and unimpeded access to emergency medical treatment and crisis intervention services. Facility staff indicated that services begin immediately upon notification of a victim of sexual abuse from the supervisor or any other staff to contact the hospital and medical practitioner. All notifications are completed to the appropriate individuals and to follow the medical staff's directive regarding any forensic examination. Random staff interviews indicated the scope of services is in accordance to their professional judgment, policy and any physician orders or protocols. All orders are documented in the residents' health record.

Random staff interviews also indicated that a referral could be made to the hospital to begin any sexually transmitted infection prophylaxis treatment/services and orders for follow-up services. Mental health services would begin when the victim is available once the forensic examination has been completed at the hospital. Random staff interviews indicated mental health staff would see the victim no later than 24 hours of an incident and provide one-on-one counseling and make available outside emotional support services and follow-up care.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

<b>115.286</b>	<b>Sexual abuse incident reviews</b>
	<b>Auditor Overall Determination:</b> Meets Standard

- Redacted Material is proprietary information and the release of such is a security threat to and breach of confidentiality of residents and staff.

## Auditor Discussion

Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:

1. Dismas Charities Omaha Pre-Audit Questionnaire
2. Dismas Charities, Inc. Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-INCIDENT REVIEWS Procedure 24.8

Interviews:

1. Facility Director/PREA Compliance Manager
2. Agency PREA Coordinator

Site Review Observations:

Observations during on-site review of physical plant

- (a) Dismas Charities policy requires a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded.
- (b) Reviews ordinarily occur within 30 days of the conclusion of the investigation.
- (c) The review team includes the Facility Director/PREA Compliance Manager, Agency PREA Coordinator and Investigators.
- (d) The review team considers whether the allegation and/or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility. The review team examines the area of the facility where the incident occurred to assess whether physical barriers in the area may enable abuse. The review team assesses the adequacy of staffing levels in that area during different shifts and whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- (e) Dismas Charities policy requires the implementation of recommendations or documents its reasons for not doing so.

Dismas Charities Omaha reported two (2) allegations of sexual abuse during the audit period which required a Sexual Abuse Incident Review. Both Incident Reviews were completed as required.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

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115.287	<b>Data collection</b>
	<p data-bbox="245 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="245 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="245 273 1461 331">Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="245 362 1481 537" style="list-style-type: none"> <li data-bbox="245 362 772 389">1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li data-bbox="245 421 1481 479">2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-DATA COLLECTION, STORAGE AND DISSEMINATION Procedure 24.9</li> <li data-bbox="245 510 986 537">3. Dismas Charities PREA Webpage - <a href="http://www.dismas.com/about/prea/">http://www.dismas.com/about/prea/</a></li> </ol> <p data-bbox="245 568 357 595">Interviews:</p> <ol data-bbox="245 627 718 712" style="list-style-type: none"> <li data-bbox="245 627 718 654">1. Facility Director/PREA Compliance Manager</li> <li data-bbox="245 685 542 712">2. Agency PREA Coordinator</li> </ol> <p data-bbox="245 743 513 770">Site Review Observations:</p> <p data-bbox="245 801 762 828">Observations during on-site review of physical plant</p> <ol data-bbox="245 860 1481 1370" style="list-style-type: none"> <li data-bbox="245 860 1449 918">(a) The Facility Director/PREA Compliance Manager collects accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions.</li> <li data-bbox="245 949 1481 1043">(b) The Facility Director/PREA Compliance Manager aggregates the incident-based sexual abuse data at least annually and submits it to the Agency PREA Coordinator to be posted it on the Dismas Charities PREA webpage. (<a href="http://www.Dismas.com/about/prea/">http://www.Dismas.com/about/prea/</a>)</li> <li data-bbox="245 1075 1481 1133">(c) The incident-based data includes data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.</li> <li data-bbox="245 1164 1481 1223">(d) Dismas Charities maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.</li> <li data-bbox="245 1254 1481 1312">(e) Dismas Charities obtains incident-based, aggregated data from all facilities which it contracts with for the confinement of its residents.</li> <li data-bbox="245 1344 1423 1370">(f) Dismas Charities upon request provides all such data from the previous calendar year to the Department of Justice.</li> </ol> <p data-bbox="245 1402 1423 1460">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.288	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-DATA COLLECTION, STORAGE AND DISSEMINATION Procedure 24.9</li> <li>3. Dismas Charities PREA Webpage - <a href="http://www.dismas.com/about/prea/">http://www.dismas.com/about/prea/</a></li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities reviews data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training by identifying problem areas, taking corrective action on an ongoing basis and prepares an annual report of its findings</p> <p>(b) Dismas Charities annual report includes 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</p> <p>(c) The Omaha Facility's annual report is reviewed by the Agency PREA Coordinator and made available to the public on the Dismas Charities website. <a href="http://www.dismas.com/about/prea/">http://www.dismas.com/about/prea/</a></p> <p>(d) Dismas Charities indicates the reasons for material redacted when it redacts information from the reports were the publication would present a clear and specific threat to the safety and security of a facility.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.289	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Dismas Charities Omaha Facility provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> <li>1. Dismas Charities Omaha Pre-Audit Questionnaire</li> <li>2. Dismas Charities Policy Sexual Abuse/Harassment/Misconduct Prevention Intervention-DATA COLLECTION, STORAGE AND DISSEMINATION Procedure 24.9</li> <li>3. Dismas Charities PREA Webpage - <a href="http://www.dismas.com/about/prea/">http://www.dismas.com/about/prea/</a></li> </ol> <p>Interviews:</p> <ol style="list-style-type: none"> <li>1. Facility Director/PREA Compliance Manager</li> <li>2. Agency PREA Coordinator</li> </ol> <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Dismas Charities reviews data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training by identifying problem areas, taking corrective action on an ongoing basis and prepares an annual report of its findings</p> <p>(b) Dismas Charities annual report includes 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</p> <p>(c) The Omaha Facility's annual report is reviewed by the Agency PREA Coordinator and made available to the public on the Dismas Charities website. <a href="http://www.dismas.com/about/prea/">http://www.dismas.com/about/prea/</a></p> <p>(d) Dismas Charities indicates the reasons for material redacted when it redacts information from the reports were the publication would present a clear and specific threat to the safety and security of a facility.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.401	<b>Frequency and scope of audits</b>
	<p data-bbox="244 145 740 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="244 210 453 239"><b>Auditor Discussion</b></p> <p data-bbox="244 271 1465 365">The auditor reviewed the Dismas Charities web page (<a href="http://www.Dismas.com/about/prea/">http://www.Dismas.com/about/prea/</a>) The page has posted thirty-four (34) audit reports for their thirty-six (36) facilities' audits completed through October 2021. Dismas Charities works with Certified PREA auditors to ensure one third of their facilities are audited each year.</p> <p data-bbox="244 396 1461 555">The auditor had access to the entire facility and was able to conduct confidential staff and resident interviews and was provided documentation as need to assess compliance with the standards. Residents were aware they could send confidential correspondence to the auditor. Pre-audit postings were provided to the facility six weeks prior to the audit. Documentation the notices were posted was provide to the auditor and postings were seen in all areas of the facility during the tour.</p> <p data-bbox="244 586 1420 647">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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115.403	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The auditor reviewed the Dismas Charities web page (<a href="http://www.Dismas.com/about/prea/">http://www.Dismas.com/about/prea/</a>) The page has posted thirty-four (34) audit reports for their thirty-six (36) facilities' audits completed through October 2021. Dismas Charities works with Certified PREA auditors to ensure one third of their facilities are audited each year.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

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<b>Appendix: Provision Findings</b>		
<b>115.211 (a)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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
<b>115.211 (b)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its community confinement facilities?	yes
<b>115.212 (a)</b>	<b>Contracting with other entities for the confinement of residents</b>	
	If this agency is public and it contracts for the confinement of its residents with private agencies or other entities, including other government agencies, has the agency included the entity's obligation to adopt and comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.)	na
<b>115.212 (b)</b>	<b>Contracting with other entities for the confinement of residents</b>	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.)	na
<b>115.212 (c)</b>	<b>Contracting with other entities for the confinement of residents</b>	
	If the agency has entered into a contract with an entity that fails to comply with the PREA standards, did the agency do so only in emergency circumstances after making all reasonable attempts to find a PREA compliant private agency or other entity to confine residents? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	na
	In such a case, does the agency document its unsuccessful attempts to find an entity in compliance with the standards? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	na
<b>115.213 (a)</b>	<b>Supervision and monitoring</b>	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring to protect residents against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The physical layout of each facility?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the resident population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes

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<b>115.213 (b)</b>	<b>Supervision and monitoring</b>	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (NA if no deviations from staffing plan.)	na
<b>115.213 (c)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to prevailing staffing patterns?	yes
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the resources the facility has available to commit to ensure adequate staffing levels?	yes
<b>115.215 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting any cross-gender strip searches or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
<b>115.215 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting cross-gender pat-down searches of female residents, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female residents' access to regularly available programming or other outside opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	yes
<b>115.215 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female residents?	yes
<b>115.215 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility have policies that enable residents to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enable residents to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing?	yes

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<b>115.215 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from searching or physically examining transgender or intersex residents for the sole purpose of determining the resident's genital status?	yes
	If the resident's genital status is unknown, does the facility determine genital status during conversations with the resident, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
<b>115.215 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex residents in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

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<b>115.216 (c)</b>	<b>Residents with disabilities and residents who are limited English proficient</b>	
	Does the agency always refrain from relying on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under §115.264, or the investigation of the resident's allegations?	yes
<b>115.217 (a)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of 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 the services of any contractor who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
<b>115.217 (b)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with residents?	yes
	Does the agency consider any incidents of sexual harassment in determining to enlist the services of any contractor who may have contact with residents?	yes
<b>115.217 (c)</b>	<b>Hiring and promotion decisions</b>	
	Before hiring new employees who may have contact with residents, does the agency: Perform a criminal background records check?	yes
	Before hiring new employees who may have contact with residents, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
<b>115.217 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with residents?	yes
<b>115.217 (e)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees?	yes

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<b>115.217 (f)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
<b>115.217 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.217 (h)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.218 (a)</b>	<b>Upgrades to facilities and technology</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012 or since the last PREA audit, whichever is later.)	na
<b>115.218 (b)</b>	<b>Upgrades to facilities and technology</b>	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not installed or updated any video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012 or since the last PREA audit, whichever is later.)	na
<b>115.221 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.221 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth where applicable? (NA if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (NA if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes

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<b>115.221 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.221 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.221 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.221 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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.)	yes
<b>115.221 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.221(d) above).	na
<b>115.222 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	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

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<b>115.222 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
<b>115.222 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for conducting criminal investigations. See 115.221(a).)	yes
<b>115.231 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with residents on: Its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with residents on: Residents' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: The right of residents 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 residents on: The dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with residents on: The common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with residents on: How to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with residents on: How to avoid inappropriate relationships with residents?	yes
	Does the agency train all employees who may have contact with residents on: How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents?	yes
	Does the agency train all employees who may have contact with residents on: How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
<b>115.231 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the residents at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa?	yes

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<b>115.231 (c)</b>	<b>Employee training</b>	
	Have all current employees who may have contact with residents received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
<b>115.231 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.232 (a)</b>	<b>Volunteer and contractor training</b>	
	Has the agency ensured that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
<b>115.232 (b)</b>	<b>Volunteer and contractor training</b>	
	Have all volunteers and contractors who have contact with residents been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with residents)?	yes
<b>115.232 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.233 (a)</b>	<b>Resident education</b>	
	During intake, do residents receive information explaining: The agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining: How to report incidents or suspicions of sexual abuse or sexual harassment?	yes
	During intake, do residents receive information explaining: Their rights to be free from sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining: Their rights to be free from retaliation for reporting such incidents?	yes
	During intake, do residents receive information regarding agency policies and procedures for responding to such incidents?	yes
<b>115.233 (b)</b>	<b>Resident education</b>	
	Does the agency provide refresher information whenever a resident is transferred to a different facility?	yes

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<b>115.233 (c)</b>	<b>Resident education</b>	
	Does the agency provide resident education in formats accessible to all residents, including those who: Are limited English proficient?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are deaf?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are visually impaired?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are otherwise disabled?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Have limited reading skills?	yes
<b>115.233 (d)</b>	<b>Resident education</b>	
	Does the agency maintain documentation of resident participation in these education sessions?	yes
<b>115.233 (e)</b>	<b>Resident education</b>	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats?	yes
<b>115.234 (a)</b>	<b>Specialized training: Investigations</b>	
	In addition to the general training provided to all employees pursuant to §115.231, 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 criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
<b>115.234 (b)</b>	<b>Specialized training: Investigations</b>	
	Does this specialized training include: Techniques for interviewing sexual abuse victims?(N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
	Does this specialized training include: Proper use of Miranda and Garrity warnings?(N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
	Does this specialized training include: Sexual abuse evidence collection in confinement settings?(N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
	Does this specialized training include: The criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
<b>115.234 (c)</b>	<b>Specialized training: Investigations</b>	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a).)	yes

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<b>115.235 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	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.)	na
	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.)	na
	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.)	na
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	na
<b>115.235 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency does not employ medical staff or the medical staff employed by the agency do not conduct forensic exams.)	na
<b>115.235 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	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.)	na
<b>115.235 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.231? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	na
	Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.232? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	na
<b>115.241 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all residents assessed during an intake screening for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
	Are all residents assessed upon transfer to another facility for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
<b>115.241 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
<b>115.241 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

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<b>115.241 (d) Screening for risk of victimization and abusiveness</b>		
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The age of the resident?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The physical build of the resident?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the resident about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the resident is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The resident's own perception of vulnerability?	yes
<b>115.241 (e) Screening for risk of victimization and abusiveness</b>		
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse?	yes
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses?	yes
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse?	yes
<b>115.241 (f) Screening for risk of victimization and abusiveness</b>		
	Within a set time period not more than 30 days from the resident's arrival at the facility, does the facility reassess the resident's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
<b>115.241 (g) Screening for risk of victimization and abusiveness</b>		
	Does the facility reassess a resident's risk level when warranted due to a: Referral?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Request?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Incident of sexual abuse?	yes

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

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	Are transgender and intersex residents given the opportunity to shower separately from other residents?	yes
<b>115.242 (f)</b>	<b>Use of screening information</b>	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: lesbian, gay, and bisexual residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: transgender residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: intersex residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
<b>115.251 (a)</b>	<b>Resident reporting</b>	
	Does the agency provide multiple internal ways for residents to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Retaliation by other residents or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
<b>115.251 (b)</b>	<b>Resident reporting</b>	
	Does the agency also provide at least one way for residents to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the resident to remain anonymous upon request?	yes
<b>115.251 (c)</b>	<b>Resident reporting</b>	
	Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Do staff members promptly document any verbal reports of sexual abuse and sexual harassment?	yes
<b>115.251 (d)</b>	<b>Resident reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of residents?	yes

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<b>115.252 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address resident grievances regarding sexual abuse. This does not mean the agency is exempt simply because a resident does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
<b>115.252 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency permit residents to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring a resident to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
<b>115.252 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency ensure that: a resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
<b>115.252 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by residents in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency determines that the 90-day timeframe is insufficient to make an appropriate decision and claims an extension of time (the maximum allowable extension is 70 days per 115.252(d)(3)), does the agency notify the resident in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, may a resident consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
<b>115.252 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	Are third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of residents? (If a third party files such a request on behalf of a resident, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the resident declines to have the request processed on his or her behalf, does the agency document the resident's decision? (N/A if agency is exempt from this standard.)	yes

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<b>115.252 (f)</b>	<b>Exhaustion of administrative remedies</b>	
	Has the agency established procedures for the filing of an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the resident is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
<b>115.252 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	If the agency disciplines a resident for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the resident filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
<b>115.253 (a)</b>	<b>Resident access to outside confidential support services</b>	
	Does the facility provide residents with access to outside victim advocates for emotional support services related to sexual abuse by giving residents mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility enable reasonable communication between residents and these organizations, in as confidential a manner as possible?	yes
<b>115.253 (b)</b>	<b>Resident access to outside confidential support services</b>	
	Does the facility inform residents, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
<b>115.253 (c)</b>	<b>Resident access to outside confidential support services</b>	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
<b>115.254 (a)</b>	<b>Third party reporting</b>	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes

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	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of a resident?	yes
<b>115.261 (a)</b>	<b>Staff and agency reporting duties</b>	
	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 residents or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
<b>115.261 (b)</b>	<b>Staff and agency reporting duties</b>	
	Apart from reporting to designated supervisors or officials, do staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
<b>115.261 (c)</b>	<b>Staff and agency reporting duties</b>	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform residents of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
<b>115.261 (d)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.261 (e)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.262 (a)</b>	<b>Agency protection duties</b>	
	When the agency learns that a resident is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the resident?	yes
<b>115.263 (a)</b>	<b>Reporting to other confinement facilities</b>	
	Upon receiving an allegation that a resident was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
<b>115.263 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
<b>115.263 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.263 (d)</b>	<b>Reporting to other confinement facilities</b>	

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	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
<b>115.264 (a)</b>	<b>Staff first responder duties</b>	
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, 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 a resident was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
<b>115.264 (b)</b>	<b>Staff first responder duties</b>	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
<b>115.265 (a)</b>	<b>Coordinated response</b>	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
<b>115.266 (a)</b>	<b>Preservation of ability to protect residents from contact with abusers</b>	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
<b>115.267 (a)</b>	<b>Agency protection against retaliation</b>	
	Has the agency established a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
<b>115.267 (b)</b>	<b>Agency protection against retaliation</b>	
	Does the agency employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

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<b>115.267 (c)</b>	<b>Agency protection against retaliation</b>	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any resident disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency:4. Monitor resident housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor resident program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignment of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
<b>115.267 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of residents, does such monitoring also include periodic status checks?	yes
<b>115.267 (e)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.271 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a). )	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a). )	yes
<b>115.271 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.234?	yes

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<b>115.271 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.271 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.271 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as resident or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
<b>115.271 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.271 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.271 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.271 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency retain all written reports referenced in 115.271(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
<b>115.271 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the facility or agency does not provide a basis for terminating an investigation?	yes
<b>115.271 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).)	yes
<b>115.272 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	

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	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
<b>115.273 (a)</b>	<b>Reporting to residents</b>	
	Following an investigation into a resident's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
<b>115.273 (b)</b>	<b>Reporting to residents</b>	
	If the agency did not conduct the investigation into a resident'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 resident? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
<b>115.273 (c)</b>	<b>Reporting to residents</b>	
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the resident's unit?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.273 (d)</b>	<b>Reporting to residents</b>	
	Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.273 (e)</b>	<b>Reporting to residents</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.276 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.276 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

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<b>115.276 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	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
<b>115.276 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	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
<b>115.277 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with residents?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
<b>115.277 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with residents?	yes
<b>115.278 (a)</b>	<b>Disciplinary sanctions for residents</b>	
	Following an administrative finding that a resident engaged in resident-on-resident sexual abuse, or following a criminal finding of guilt for resident-on-resident sexual abuse, are residents subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
<b>115.278 (b)</b>	<b>Disciplinary sanctions for residents</b>	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories?	yes
<b>115.278 (c)</b>	<b>Disciplinary sanctions for residents</b>	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether a resident's mental disabilities or mental illness contributed to his or her behavior?	yes
<b>115.278 (d)</b>	<b>Disciplinary sanctions for residents</b>	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending resident to participate in such interventions as a condition of access to programming and other benefits?	yes
<b>115.278 (e)</b>	<b>Disciplinary sanctions for residents</b>	
	Does the agency discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

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<b>115.278 (f)</b>	<b>Disciplinary sanctions for residents</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
<b>115.278 (g)</b>	<b>Disciplinary sanctions for residents</b>	
	Does the agency always refrain from considering non-coercive sexual activity between residents to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between residents.)	yes
<b>115.282 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	Do resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
<b>115.282 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.262?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
<b>115.282 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are resident 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
<b>115.282 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.283 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
<b>115.283 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
<b>115.283 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.283 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are resident victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all-male" facility. Note: in "all-male" facilities, there may be residents who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes

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<b>115.283 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph § 115.283(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 residents who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.283 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are resident victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.283 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.283 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners?	yes
<b>115.286 (a)</b>	<b>Sexual abuse incident reviews</b>	
	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
<b>115.286 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.286 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.286 (d)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.286(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
<b>115.286 (e)</b>	<b>Sexual abuse incident reviews</b>	

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	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.287 (a)</b>	<b>Data collection</b>	
	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
<b>115.287 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.287 (c)</b>	<b>Data collection</b>	
	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
<b>115.287 (d)</b>	<b>Data collection</b>	
	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
<b>115.287 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents? (N/A if agency does not contract for the confinement of its residents.)	na
<b>115.287 (f)</b>	<b>Data collection</b>	
	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.)	na
<b>115.288 (a)</b>	<b>Data review for corrective action</b>	
	Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
<b>115.288 (b)</b>	<b>Data review for corrective action</b>	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
<b>115.288 (c)</b>	<b>Data review for corrective action</b>	
	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
<b>115.288 (d)</b>	<b>Data review for corrective action</b>	

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	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
<b>115.289 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.287 are securely retained?	yes
<b>115.289 (b)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
<b>115.289 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.289 (d)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency maintain sexual abuse data collected pursuant to § 115.287 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	
	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
<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	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
<b>115.401 (h)</b>	<b>Frequency and scope of audits</b>	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
<b>115.401 (i)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
<b>115.401 (m)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to conduct private interviews with residents?	yes
<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	

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	Were inmates, residents, and detainees permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
<b>115.403 (f)</b>	<b>Audit contents and findings</b>	
	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

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