

**Standard 115.63 Reporting to other confinement facilities**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

- 1. Johnson County Sheriff’s Department Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Johnson County Sheriff’s Department and PREA Jail Policy**
- 4. Reporting Documentation (Form #1516)**

**B. Interviews**

- 1. Sheriff**
- 2. PREA Coordinator**

The following delineates the audit findings regarding this standard:

115.63 (a) The Johnson County Sheriff’s Department and Jail PREA Policy (page 24); details the agency’s commitment to compliance. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of Johnson County Jail that received the allegation notifies the head of the facility or appropriate Department where the alleged abuse occurred. This process is documented the agency’s notification form # 1516 – Johnson County Sheriff’s Department Notification of Alleged Abuse. During the past 12 months, Johnson County has not made a notification to another agency pertaining to sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

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

**Standard 115.64 Staff first responder duties**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

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

The following delineates the audit findings regarding this standard:

115.64 (a) The Johnson County Sheriff's Department and Jail PREA Policy (page 24); details the agency's commitment to compliance; the policy outlines the responsibilities of all staff members receiving an allegation of sexual abuse to follow these guidelines:

- (1) Separate the alleged victim and abuser;
- (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and
- (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

**Standard 115.65 Coordinated response**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

- 1. Johnson County Sheriff’s Department Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Johnson County Sheriff’s Department and PREA Jail Policy**
- 4. Coordinated Response Form**

**B. Interviews**

- 1. PREA Coordinator**

The following delineates the audit findings regarding this standard:

115.65 (a) The Johnson County Sheriff’s Department and Jail PREA Policy (page 25); details the agency’s commitment to compliance. Johnson County Jail has a very comprehensive written plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators and facility leadership. The plan clearly defines the roles and responsibilities of each person involved and the procedures to be followed in detail. Roles addressed include the First Responder, Shift Supervisor, PREA Coordinator and the PREA investigator. If an event occurred, the details of the response would be documented on the Johnson County Sheriff’s Department PREA Incident Check Sheet form # 1216. Interviews with SART members confirmed their knowledge of the response plan.

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

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

- 1. Sheriff**

The following delineates the audit findings regarding this standard:

115.66 (a) Employees are subject to disciplinary sanctions up to termination for violating Johnson County Jail policies on sexual abuse and sexual harassment. The Johnson County Jail has not entered into any collective bargaining agreements during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.67 Agency protection against retaliation**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

- 1. Jail Administrator**
- 2. Retaliation Monitor**
- 3. Inmates who reported sexual abuse**

The following delineates the audit findings regarding this standard:

115.67 (a) The Johnson County Sheriff's Department and Jail PREA Policy (pages 27 and 28); details the agency's commitment to compliance. Johnson County Jail has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and designates which staff members or departments are charged with monitoring retaliation. Johnson County Jail has a retaliation form for inmates who report sexual abuse and a separate form for staff who report sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

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

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

**Standard 115.68 Post-allegation protective custody**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

- 1. PREA Coordinator**
- 2. Segregated Housing Staff**

The following delineates the audit findings regarding this standard:

115.68 (a) The Johnson County Sheriff’s Department and Jail PREA Policy (page 28); details the agency’s commitment to compliance. Johnson County Jail prohibits offenders who have alleged sexual abuse to be placed in involuntary segregated housing. If segregated housing is used, the same provisions as outlined in policy 10.2 would apply. Interviews with the facility administration and segregation staff revealed that involuntary segregation has not been used for this purpose in the past 12 months; therefore, there were not any subsequent monitoring documentation. The PREA Coordinator stated that if separation was required to protect the offender, they would be placed in segregation for no longer than 72 hours. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.71 Criminal and administrative agency investigations**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

- 1. Johnson County Sheriff’s Department Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Johnson County Sheriff’s Department and PREA Jail Policy**
- 4. Training Curriculum**

**B. Interviews**

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

The following delineates the audit findings regarding this standard:

115.71 (a) The Johnson County Sheriff’s Department and Jail PREA Policy (pages 28 and 29); details the agency’s commitment to compliance. Johnson County Jail PREA investigator conducts an investigation immediately when notified of an allegation of sexual abuse and sexual harassment. There were no PREA incidents reported in the past twelve months; therefore, there were no investigative files to review. Policy does

mandate:

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

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

115.71 (b) Based on training curriculums provided, investigators training file review, and investigative staff interviews, it was evident the facility provided, in addition to the general training received by all employees, specialized training to all its investigators. This training included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. In the past 12 months, Johnson County Jail has not had any PREA investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (c) Johnson County Jail PREA Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; takes photos of the alleged crime scene, reviews incident and shift reports, interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator. The PREA Investigator is also the Chief Deputy of the agency. In the past 12 months, Johnson County Jail has not had any PREA investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

115.71 (e) The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. The inmate who alleges sexual abuse is not required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. In the past 12 months, Johnson County Jail has not had any PREA investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (f) Johnson County Jail administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. In the past 12 months, Johnson County Jail has not had any PREA investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (g) Johnson County Jail criminal investigations are documented by the Johnson County Sheriff's Department PREA Investigator in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. In the past 12 months, Johnson County Jail has not had any PREA investigations: therefore, there were no files to review. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (h) Johnson County Jail refers all allegations to the Johnson County Sheriff's Department PREA Investigator for investigation and prosecution when warranted. In the past 12 months, Johnson County Jail has not had any PREA investigations: therefore, there were no files to review. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

115.71 (j) The departure of the alleged abuser or victim from employment or control of the Johnson County Jail or agency does not provide a basis for terminating an investigation. In the past 12 months, Johnson County Jail has not had any PREA investigations: therefore, there were no files to review. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (k) The Johnson County Sheriff's Department PREA Investigator conducts criminal sexual abuse investigations pursuant to the requirements of this standard. Johnson County Jail policy 13.2, outlines the requirements of the criminal investigation and complies with all aspects of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (l) Johnson County Jail refers all criminal cases to the Johnson County Sheriff's Department PREA Investigator. By policy, the facility remains informed of the progress of the investigation through communication between the Johnson County District Attorney's Office and the Johnson County Sheriff's Department PREA Investigator agent handling the case. In the past 12 months, Johnson County Jail has not had any PREA investigations: therefore, there were no files to review. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.72 Evidentiary standard for administrative investigations**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

- 1. Johnson County Sheriff's Department Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Johnson County Sheriff's Department and PREA Jail Policy**
- 4. Evidentiary Standard**

**B. Interviews**

- 1. PREA Investigator**

The following delineates the audit findings regarding this standard:

The Johnson County Sheriff's Department and Jail PREA Policy (page 30); details the agency's commitment to compliance. Johnson County Jail imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. All PREA allegations begin as potential criminal investigations; if no criminality occurred, the allegation will then be treated as a



potential administrative investigation. In the past 12 months, Johnson County Jail has not had any PREA investigations: therefore, there were no files to review. Interview with the PREA Investigator corroborated this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.73 Reporting to inmates**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

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

The following delineates the audit findings regarding this standard:

115.73 (a) The Johnson County Sheriff’s Department and Jail PREA Policy (pages 30 and 31); details the agency’s commitment to compliance. Based on Johnson County Jail policy it was confirmed that following an investigation into an inmate’s allegation he/she suffered sexual abuse in the facility, the inmate was to be informed whether the allegation had been determined to be substantiated, unsubstantiated, or unfounded. The documentation provided confirmed the inmates would be provided this notification on the Johnson County Jail Inmate PREA Allegation Status Notification Form. The inmates are required to sign the form documenting acknowledgement of this notification as required. In the past 12 months, Johnson County Jail has not had any PREA investigations: therefore, no notifications have been made. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

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

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

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

115.73 (d) Following an inmate's allegation they had been sexually abused by another inmate, Johnson County Jail subsequently informs the alleged victim whenever the facility learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or Johnson County Jail learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. The documentation provided confirmed the inmates would be provided this notification on the Johnson County Jail Inmate PREA Allegation Status Notification Form. In the past 12 months, Johnson County Jail has not had any PREA investigations: therefore, no notifications have been made. The inmates are required to sign the form documenting acknowledgement of this notification as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (e) All such notifications or attempted notifications are documented on the Johnson County Jail Inmate PREA Allegation Status Notification Form. In the past 12 months, Johnson County Jail has not had any PREA investigations: therefore, no notifications have been made. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (f) Policy outlines the agency's obligation to report under this standard terminates if the inmate is released from Johnson County Jail's custody. In the past 12 months, Johnson County Jail has not had any PREA investigations: therefore, no notifications have been made. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.76 Disciplinary sanctions for staff**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**  
**1. Jail Administrator**

The following delineates the audit findings regarding this standard:

115.76 The Johnson County Sheriff's Department and Jail PREA Policy (pages 31 and 32); details the agency's commitment to compliance.

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

115.76 (c) Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. There were no disciplinary sanctions imposed on staff for PREA violations within the past 12 months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.76 (d) All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies. There were no disciplinary sanctions imposed on staff for PREA violations within the past 12 months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

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

The following delineates the audit findings regarding this standard:

115.77 (a) The Johnson County Sheriff's Department and Jail PREA Policy (page 32); details the agency's commitment to compliance. Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement, unless the activity was clearly not criminal, and to relevant licensing bodies. During the past 12 months, there were no contractors or volunteers who were perpetrators in a substantiated PREA investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.77 (b) Johnson County Jail takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. During the past 12 months, there were no contractors or volunteers who were perpetrators in a substantiated PREA investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.78 Disciplinary sanctions for inmates**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

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

The following delineates the audit findings regarding this standard:

115.78 (a) The Johnson County Sheriff's Department and Jail PREA Policy (pages 32 and 33); details the agency's commitment to compliance. Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. During the past twelve months, there have not been any PREA investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (b) Sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (c) The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. This would be done, when needed, by the contracted Mental Health Services Provider. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (d) The Mental Health staff offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, Johnson County Jail does not require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (e) Johnson County Jail disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

115.78 (f) Johnson County Jail prohibits all sexual activity between inmates and may discipline inmates for such activity. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

## **B. Interviews**

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

The following delineates the audit findings regarding this standard:

115.81 The Johnson County Sheriff's Department and Jail PREA Policy (pages 34 and 35); details the agency's commitment to compliance. (a) and (c) If the screening indicates the inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, the Classification staff at the Johnson County Jail ensures the inmate is offered a follow-up meeting with the medical and/or mental health staff within 14 days of the intake screening as required by this part of the standard. Johnson County maintains a contract with Frontier Health Services for mental health services. All inmates are required to be seen by the medical staff within 14 day from intake is required by the Tennessee Corrections Institute. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (b) If the screening indicates an inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, the screening staff at the Johnson County Jail ensures the inmate is offered a follow-up meeting with mental health staff within 14 days of the intake screening as required by this part of the standard. All inmates are required to be seen by the medical staff within 14 day from intake is required by the Tennessee Corrections Institute. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

115.81 (e) Johnson County Jail requires Frontier Health Services to obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in the facility, unless the inmate is under the age of 18. The Johnson County Jail has not housed an inmate under the age of 18 in the past 12 months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

## Evidence Reviewed:

### A. Documents

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

### B. Interviews

1. Medical and Mental Health Staff

The following delineates the audit findings regarding this standard:

115.82 The Johnson County Sheriff's Department and Jail PREA Policy (pages 35 and 36); details the agency's commitment to compliance. (a) Johnson County Jail has an agreement with the Sexual Assault Center of East Tennessee to treat inmate victims of sexual abuse. The facility also has medical and mental health staff at the facility ensuring inmates receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. Other services available include Frontier Health Services and Mobile Crisis Counseling. This practice was corroborated through an interview with the medical staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

115.82 (c) The Johnson County Sheriff's Department and Jail PREA Policy (pages 35 and 36); details the agency's commitment to compliance. Johnson County Jail ensures inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. During the past twelve months, there have been no reported victims of sexual abuse at the Johnson County Jail. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

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

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

## **Evidence Reviewed:**

### **A. Documents**

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

### **B. Interviews**

- 1. Medical and Mental Health Staff**

The following delineates the audit findings regarding this standard:

115.83 (a) The Johnson County Sheriff's Department and Jail PREA Policy (pages 36 and 37); details the agency's commitment to compliance. Johnson County Jail offers medical and mental health evaluations and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any facility. In the past 12 months, there were no incidents where these services needed to be utilized. Staff was well versed if an incident did occur. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (b) Johnson County Jail mandates that the evaluations and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody. In the past 12 months, there were no incidents where these services needed to be utilized. Staff was well versed if an incident did occur. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (c) Johnson County Jail requires that medical and mental health staff provide all victims with medical and mental health services consistent with the community level of care. This practice was corroborated through an interview with the medical staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

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

115.83 (g) Johnson County Jail requires that medical and mental health staff provide treatment services to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. In the past 12 months, there were no incidents where these services needed to be utilized. Staff was well versed if an incident did occur. Therefore, the facility demonstrated compliance with this part of the standard during this audit.



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

**Standard 115.86 Sexual abuse incident reviews**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

- 1. Jail Administrator**
- 2. PREA Coordinator**
- 3. Incident Review Team Members**

The following delineates the audit findings regarding this standard:

115.86 (a) Johnson County Jail conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. This process would be documented by utilizing the Johnson County Sheriff's Department Sexual Abuse Incident Review Report. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

115.86 (c) The review team consist of upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. Team members were confirmed by the PREA Coordinator. During the past twelve months, there have been no reported victims of sexual abuse at the Johnson County Jail; therefore there have not been any incidents to review. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

115.86 (e) Johnson County Jail shall implement the recommendations for improvement, or shall document its reasons for not doing so. During the past twelve months, there have been no reported victims of sexual abuse at the Johnson County Jail; therefore there have not been any incidents to review. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.87 Data collection**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

- 1. PREA Coordinator**

The following delineates the audit findings regarding this standard:

115.87 The Johnson County Sheriff's Department and Jail PREA Policy (page 38); details the agency's commitment to compliance. (a), (b) and (c) Johnson County Jail collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

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

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

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

**Standard 115.88 Data review for corrective action**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

- 1. Sheriff**
- 2. PREA Coordinator**

The following delineates the audit findings regarding this standard:

115.88 (a) The Johnson County Sheriff's Department and Jail PREA Policy (pages 38 and 39); details the agency's commitment to compliance. Johnson County Jail reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Johnson County Jail as a whole. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (b) Such reports includes a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of Johnson County Jail's progress in addressing sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (c) Johnson County Jail's report is approved by the Sheriff and made readily available to the public by posting in the lobby of the jail. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (d) Johnson County Jail may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of the facility, but must indicate the nature of the material redacted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.89 Data storage, publication, and destruction**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor 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.

**Evidence Reviewed:**

**A. Documents**

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

**B. Interviews**

- 1. PREA Coordinator**

The following delineates the audit findings regarding this standard:

115.89 The Johnson County Sheriff's Department and Jail PREA Policy (page 39); details the agency's commitment to compliance. (a) through (d) Johnson County Jail PREA Coordinator makes all aggregated sexual abuse data, readily available to the public at least annually by posting in the lobby of the jail.

All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or Local law requires otherwise. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

## AUDITOR CERTIFICATION

I certify that:

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

Brian D. Bivens

May 19, 2017

Auditor Name

Date